

MONDAY, APRIL 10, 2023

TWENTY-SECOND LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Pastor Mitch McClure, Middle Valley Church of God.

Representative G. Martin led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 80

Representatives present were Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Clemmons, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton -- 80

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Terry; personal

Representative Hemmer

Representative Whitson

PRESENT IN CHAMBER

Reps. Dixie and Hemmer were recorded as being present in the Chamber.

FIFTY-SECOND REPRESENTATIVE DISTRICT

A vacancy was created in the Fifty-Second Representative District on April 6, 2023 with the expulsion of Representative Justin Jones.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

**COMMUNICATION
April 10, 2023**

**MINUTES
Special
Metropolitan Council Meeting
Monday April 10, 2023
4:30 p.m.
David Scobey Council Chamber**

The Metropolitan Council met in a special session on this date at 4:30 p.m. in the Metropolitan Courthouse.

The invocation was offered by Council Member Zulfat Suara.

The Metropolitan Council gave the pledge of allegiance to the American Flag.

The roll was called and the following members were present during the progress of the meeting: Shulman, Mendes, Hurt, Allen, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Murphy, Pulley, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, Lee, Henderson, and Rosenberg (38); Absent: Hall and Johnston (2).

House District 52 Vacancy

Council Member Murphy moved to suspend Rule 49, parts 1 through 6, of the Rules of Procedure of the Metropolitan Council and to immediately take nominations from the floor. Without objection, the President called for nominations. Council Member Porterfield nominated Mr. Justin Jones, seconded by Council Member Sepulveda. There being no further nominations, the President announced that nominations are closed, and a vote to approve the election of Mr. Justin Jones will be held. The following votes were received: **Yes** (36): Mendes, Hurt, Allen, Suara, Toombs, Gamble, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Murphy, Pulley, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, Lee, Henderson, and Rosenberg; **No** (0); **Abstain** (0). The President announced that Mr. Justin Jones had been elected to fill the vacancy in the District 52 seat in the Tennessee House of Representatives.

Upon motion duly seconded, the meeting was adjourned.

ATTEST:
/s/ Austin Kyle
Metropolitan Clerk

APPROVED:
/s/ Jim Shulman
President

CERTIFICATION

1297

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

I, Austin Kyle, being the duly appointed Metropolitan Clerk of The Metropolitan Government of Nashville and Davidson County, do hereby certify that foregoing is a true and exact copy of **the Minutes of the April 10, 2023 special meeting of the Metropolitan Council** as approved at the April 10, 2023 second special meeting.

WITNESS MY HAND and the Seal of The Metropolitan Government of Nashville and Davidson County, Tennessee, this 10th day of April, 2023.

/s/ Austin Kyle
Metropolitan Clerk

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Sworn to and subscribed before me,
By Austin Kyle, this 10th day of April, 2023.

/s/ Ravan Misch
Notary Public

My Commission expires: 07/03/2023

**OATH OF OFFICE
April 10, 2023**

Representative-elect Justin Jones was administered the oath of office at 5:15 p.m. by Chancellor l'Ashea L. Myles of the Chancery Court, Part 3 of the 20th Judicial District as prescribed by the State Constitution and Statutes of Tennessee on the steps of the Tennessee State Capitol.

PRESENT IN CHAMBER

Reps. Shaw, Mitchell, McKenzie, Camper, Glynn, Love, Chism, Miller, Hardaway, Towns, Parkinson, Hakeem, Harris and Jones were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 68 Rep. Camper as prime sponsor.

House Resolution No. 69 Rep. Camper as prime sponsor.

House Joint Resolution No. 521 Reps. Barrett and Gillespie as prime sponsors.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

House Joint Resolution No. 522 Reps. Whitson, Barrett, Davis, Camper and Gillespie as prime sponsors.

House Joint Resolution No. 523 Reps. Whitson, Barrett, Williams, T. Hicks and Davis as prime sponsors.

House Joint Resolution No. 524 Reps. Whitson, Barrett, Williams, T. Hicks and Davis as prime sponsors.

House Joint Resolution No. 525 Reps. Whitson, Barrett, Williams, T. Hicks and Davis as prime sponsors.

House Joint Resolution No. 526 Reps. Whitson, Barrett, Williams, T. Hicks and Davis as prime sponsors.

House Joint Resolution No. 527 Reps. Whitson, Barrett, Williams, T. Hicks and Davis as prime sponsors.

House Joint Resolution No. 528 Reps. Whitson, Barrett, Williams, T. Hicks and Davis as prime sponsors.

House Joint Resolution No. 529 Reps. Reedy and Davis as prime sponsors.

House Bill No. 23 Reps. G. Martin, Lamberth, Grills, Bricken, Vital, Eldridge, Wright, Clemmons, Howell and Ragan as prime sponsors.

House Bill No. 296 Reps. Williams, Powell and T. Hicks as prime sponsors.

House Bill No. 315 Reps. Shaw, Bricken, Helton-Haynes, Eldridge, Camper, Moody and Powers as prime sponsors.

House Bill No. 395 Rep. Moody as prime sponsor.

House Bill No. 415 Reps. Hardaway, Freeman, Towns, Clemmons, Helton-Haynes and Powell as prime sponsors.

House Bill No. 459 Reps. Moody, Haston and Howell as prime sponsors.

House Bill No. 529 Rep. Todd as prime sponsor.

House Bill No. 535 Reps. Gant, Littleton, Howell and Clemmons as prime sponsors.

House Bill No. 555 Reps. Hardaway, Russell, Moody, Helton-Haynes, Powers, Alexander, Williams, Howell, Thompson and Haston as prime sponsors.

House Bill No. 632 Rep. Lynn as prime sponsor.

House Bill No. 706 Reps. Eldridge, Moody, Todd, Carr and Miller as prime sponsors.

House Bill No. 772 Reps. Moody and Howell as prime sponsors.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

House Bill No. 786 Reps. Wright, Richey, McCalmon, Moody, Butler, Camper, Powers, Davis, Bulso, Reedy, Howell, Lynn, Thompson, Raper, Capley and Powell as prime sponsors.

House Bill No. 798 Rep. Ragan as prime sponsor.

House Bill No. 830 Rep. Moody as prime sponsor.

House Bill No. 864 Reps. Williams and Moody as prime sponsors.

House Bill No. 885 Reps. Moody, Helton-Haynes and Ragan as prime sponsors.

House Bill No. 1070 Reps. Travis, Towns, Lynn, Moody, Howell, Reedy, Capley, Cepicky and Thompson as prime sponsors.

House Bill No. 1181 Reps. Zachary, Towns, Haston, Howell, Moody, Williams, T. Hicks, Todd and Clemmons as prime sponsors.

House Bill No. 1194 Reps. McCalmon, Moon, Burkhart, Crawford, Hardaway, Shaw, Littleton, Vital, Alexander, Rudder, Carringer, Haston, T. Hicks, Moody, Ragan, Clemmons, Eldridge, Powers, Camper, Helton-Haynes, Hawk, Marsh, Beck, Cepicky, Miller and Davis as prime sponsors.

House Bill No. 1295 Reps. Hardaway, Love, Harris, Thompson and Clemmons as prime sponsors.

SPONSORS WITHDRAWN

On Motion, Rep. Beck withdrew as sponsor of **House Bill No. 395**.

On Motion, Rep. Camper withdrew as sponsor of **House Bill No. 830**.

**MESSAGE FROM THE SENATE
April 10, 2023**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 68, 429, 466, 496, 537, 591 and 648; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 68** -- Administrative Procedure (UAPA) - As introduced, continues permanent rules filed with the secretary of state between January 1, 2022, and December 31, 2022, that are in effect on the effective date of this act until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment. - Amends TCA Title 4, Chapter 5. by *Roberts. (HB234 by *Ragan)

***Senate Bill No. 429** -- Local Government, General - As introduced, expresses legislative intent that the persons appointed to a charter commission for the consolidation of the functions of

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

the county and creation of a metropolitan government be representative of both incorporated and unincorporated areas of the county. - Amends TCA Title 5; Title 6; Title 7; Title 9 and Title 67. by *Taylor, *Hensley, *Rose. (HB474 by *Ragan)

***Senate Bill No. 466** -- Teachers, Principals and School Personnel - As introduced, specifies that a teacher or other employee of a public school or LEA is not required to refer to a student using the student's preferred pronoun if the pronoun is not consistent with the student's biological sex; insulates a teacher or other employee of a public school or LEA from civil liability and adverse employment action for referring to a student using the pronoun that is consistent with the student's biological sex. - Amends TCA Title 49, Chapter 6. by *Rose, *Haile, *Crowe, *Hensley, *Jackson, *Pody, *Stevens, *Taylor, *Walley. (HB1269 by *Cochran, *Faison, *Lamberth, *Powers)

Senate Bill No. 496 -- Sentencing - As introduced, requires the superintendent or jailer to notify the department of corrections of the amount of sentence reduction credits for good institutional behavior that a convicted felon should receive for the felon's time incarcerated prior to imposition of sentence instead of the superintendent or jailer objecting to an award of credits at the rate of eight days for each month served. - Amends TCA Title 40 and Title 41. by *Stevens, *Taylor. (*HB385 by *Lamberth, *Doggett, *Gillespie)

Senate Bill No. 537 -- Adoption - As introduced, changes from 10 years or more to six years or more the time period for which a parent or guardian must have been confined in a correctional or detention facility by a court order as a result of a criminal act as a ground for termination of parental or guardianship rights; specifies that the court order confining the defendant may be the result of one or more criminal acts; removes requirement that the child be under eight years of age at the time the sentence is entered by the court. - Amends TCA Title 36 and Title 37. by *Haile, *Lowe, *Reeves, *Rose. (*HB461 by *Slater, *Helton-Haynes, *Davis, *Littleton, *Stevens, *Butler)

***Senate Bill No. 591** -- Municipal Government - As introduced, abolishes community oversight boards and authorizes municipalities to create police advisory and review committees to ensure the timely, fair, and objective review of citizen complaints and to make recommendations concerning such complaints. - Amends TCA Title 38, Chapter 8. by *Pody, *Bowling, *Hensley. (HB764 by *Davis, *Lamberth)

***Senate Bill No. 648** -- Taxes - As introduced, terminates future increases to the metropolitan government tourist accommodation tax and previously authorized privilege taxes that were increases from the base tax, for which proceeds are used to fund the convention center in Davidson County; terminates other additional fees, taxes, and surcharges deposited into the "convention center fund"; terminates allocations of sales and use tax revenue derived from sales within the tourist development zone in which the convention center is located. - Amends TCA Title 7 and Title 67. by *Johnson, *Bowling, *Stevens. (HB1279 by *Davis, *Russell)

**MESSAGE FROM THE SENATE
April 10, 2023**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 358, 359, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 483, 484, 485, 486, 487, 488, 489, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520 and 521; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 358** -- Memorials, Interns - Laura Grace Jenkins. by *McNally, *Niceley, *Massey.

***Senate Joint Resolution No. 359** -- Memorials, Interns - Amanda Taylor. by *McNally, *Campbell.

***Senate Joint Resolution No. 362** -- Memorials, Interns - Miracle Mitchell. by *Crowe.

***Senate Joint Resolution No. 363** -- Memorials, Sports - Rodgerick "RJ" Robinson, Jr., TSSAA Class A Mr. Basketball. by *Walley.

***Senate Joint Resolution No. 364** -- Memorials, Professional Achievement - Marilyn Morton, Trousdale County Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 365** -- Memorials, Professional Achievement - Charles Miller, Jim B. Satterfield Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 366** -- Memorials, Professional Achievement - Penny Story, Trousdale County High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 367** -- Memorials, Professional Achievement - Nicole Craddock, Sumner County High School Teacher of the Year and Gallatin High School Teacher of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 368** -- Memorials, Professional Achievement - Angie Frye, White House Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 369** -- Memorials, Professional Achievement - Jacquelyn Fowler, Westmoreland Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 370** -- Memorials, Professional Achievement - Patricia Szymanski, Sumner County Grades 5-8 Teacher of the Year and T.W. Hunter Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 371** -- Memorials, Professional Achievement - Brittany Johnson, Station Camp Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 372** -- Memorials, Professional Achievement - Grace Lynne Fleming, Rucker-Stewart Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 373** -- Memorials, Professional Achievement - Kimberly Baughn, Portland West Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 374** -- Memorials, Professional Achievement - Chasity Gregory, Portland East Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 375** -- Memorials, Professional Achievement - Johnna Hutchison, Liberty Creek Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 376** -- Memorials, Professional Achievement - Daniel Musick, Knox Doss Middle School at Drakes Creek Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 377** -- Memorials, Professional Achievement - Tina Tuttle, Joe Shafer Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 378** -- Memorials, Professional Achievement - Kimberly H. Wade, Hawkins Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 379** -- Memorials, Professional Achievement - Jill Swanson, Ellis Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 380** -- Memorials, Professional Achievement - Jan Cornwell, Westmoreland Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 381** -- Memorials, Professional Achievement - Crystal Connally, Watt Hardison Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 382** -- Memorials, Professional Achievement - Alison Harris, Walton Ferry Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 383** -- Memorials, Professional Achievement - Kari Petty, Vena Stuart Elementary School Teacher of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 384** -- Memorials, Professional Achievement - Stacy Porter, Union STEM Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 385** -- Memorials, Professional Achievement - Stacy Stover, Station Camp Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 386** -- Memorials, Professional Achievement - Mary Scruggs, Portland Gateview Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 387** -- Memorials, Professional Achievement - Skyler Richardson, Howard Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 388** -- Memorials, Professional Achievement - Twila Walker, H.B. Williams Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 389** -- Memorials, Professional Achievement - Curtis Cathcart, Guild Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 390** -- Memorials, Professional Achievement - Jillianne Myers, Sumner County Grades K-4 Teacher of the Year and George Whitten Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 391** -- Memorials, Professional Achievement - Julia Munday, Gene Brown Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 392** -- Memorials, Professional Achievement - Miranda Rogers, Dr. William Burrus Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 393** -- Memorials, Professional Achievement - Lori Vanderpool, Clyde Riggs Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 394** -- Memorials, Professional Achievement - Marissa Wells, Bethpage Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 395** -- Memorials, Professional Achievement - Julianna Bennett, Benny Bills Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 396** -- Memorials, Professional Achievement - Cassie Venable, Beech Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 397** -- Memorials, Professional Achievement - Meredith Baker, Oakmont Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 398** -- Memorials, Professional Achievement - Sarah Borders, North Sumner Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 399** -- Memorials, Professional Achievement - Ellie Campbell, Nannie Berry Elementary School Teacher of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 400** -- Memorials, Professional Achievement - Angel Drennan, Millersville Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 401** -- Memorials, Professional Achievement - Kristina Young, Station Camp High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 402** -- Memorials, Professional Achievement - Chandra Merryman, R.T. Fisher High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 403** -- Memorials, Professional Achievement - Brenda Barnes-Uhls, Portland High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 404** -- Memorials, Professional Achievement - Michele Summers, Merrol Hyde Magnet School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 405** -- Memorials, Professional Achievement - Erin Stratakis, Liberty Creek High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 406** -- Memorials, Professional Achievement - Andrew Martin, Hendersonville High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 407** -- Memorials, Professional Achievement - Katie Brown, Sumner County Schools Supervisor of the Year. by *Haile.

***Senate Joint Resolution No. 408** -- Memorials, Professional Achievement - Adam Cripps, Sumner County Schools Principal of the Year. by *Haile.

***Senate Joint Resolution No. 409** -- Memorials, Professional Achievement - Dr. Lauren Wilson, Sumner County Schools Assistant Principal of the Year. by *Haile.

***Senate Joint Resolution No. 410** -- Memorials, Professional Achievement - Heidi Sons, Sumner County Schools' Dr. Jennifer V. Brown Instructional Coaching Award. by *Haile.

***Senate Joint Resolution No. 411** -- Memorials, Professional Achievement - Shalamar Workings, Guild Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 412** -- Memorials, Professional Achievement - Mary Stoller, George Whitten Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 413** -- Memorials, Professional Achievement - Donna Holland, Gene Brown Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 414** -- Memorials, Professional Achievement - Amy Bierman, Dr. William Burrus Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 415** -- Memorials, Professional Achievement - Kristin Jeffs, Clyde Riggs Elementary School Support Employee of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 416** -- Memorials, Professional Achievement - Regina Dickinson, Bethpage Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 417** -- Memorials, Professional Achievement - Cathy Brashear, Benny Bills Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 418** -- Memorials, Professional Achievement - Frederick McDonald, Beech Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 419** -- Memorials, Professional Achievement - Peter Buchanan, White House High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 420** -- Memorials, Professional Achievement - Rachel Hester, Westmoreland High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 421** -- Memorials, Professional Achievement - Emily Edmison, Beech High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 422** -- Memorials, Professional Achievement - Peggy Gigax, Sumner County Schools and Nannie Berry Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 423** -- Memorials, Professional Achievement - Jennifer Johnson, Millersville Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 424** -- Memorials, Professional Achievement - Dianne Schneider, Madison Creek Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 425** -- Memorials, Professional Achievement - Kevin Murray, Liberty Creek Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 426** -- Memorials, Professional Achievement - Kimberly Skelton, Lakeside Park Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 427** -- Memorials, Professional Achievement - Yvonne Souza, J.W. Wiseman Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 428** -- Memorials, Professional Achievement - Horace Williams, Jack Anderson Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 429** -- Memorials, Professional Achievement - Sheryl Godsey, Indian Lake Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 430** -- Memorials, Professional Achievement - Larry Moore, Howard Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 431** -- Memorials, Professional Achievement - Deanna Rhoades, H.B. Williams Elementary School Support Employee of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 432** -- Memorials, Professional Achievement - Kim Startup, Madison Creek Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 433** -- Memorials, Professional Achievement - Amy McAllister, Liberty Creek Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 434** -- Memorials, Personal Achievement - Amanda Chapman, Lakeside Park Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 435** -- Memorials, Professional Achievement - Kim Bennett, J.W. Wiseman Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 436** -- Memorials, Professional Achievement - Brooke Martindale, Jack Anderson Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 437** -- Memorials, Professional Achievement - Susan James, Indian Lake Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 438** -- Memorials, Professional Achievement - Chuck Jones, Sumner County Schools Support Services Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 439** -- Memorials, Professional Achievement - Rosy Anderson, Sumner County Schools Transportation Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 440** -- Memorials, Professional Achievement - Rhonda Jernigan, Sumner County Schools Central Office Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 441** -- Memorials, Professional Achievement - Lisa Stewart, White House High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 442** -- Memorials, Professional Achievement - Regina Perry, Westmoreland High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 443** -- Memorials, Professional Achievement - Karen Hankins, Station Camp High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 444** -- Memorials, Professional Achievement - Phyllis Bennett, R.T. Fisher High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 445** -- Memorials, Professional Achievement - Bill Anglemyer, Sumner County Schools and Portland High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 446** -- Memorials, Professional Achievement - Windy Robinson, Merrol Hyde Magnet School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 447** -- Memorials, Professional Achievement - Kavonya Keeler, Liberty Creek High School Support Employee of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 448** -- Memorials, Professional Achievement - Tracy Dove, Hendersonville High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 449** -- Memorials, Professional Achievement - Katherine Cartwright, Gallatin High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 450** -- Memorials, Professional Achievement - Donna Dyer, Beech High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 451** -- Memorials, Professional Achievement - Elaine Lowe, White House Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 452** -- Memorials, Professional Achievement - Debbie Brown, Westmoreland Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 453** -- Memorials, Professional Achievement - Frank Omiyale, T.W. Hunter Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 454** -- Memorials, Professional Achievement - Ellen Bailey, Station Camp Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 455** -- Memorials, Professional Achievement - Ralph Barksdale, Rucker-Stewart Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 456** -- Memorials, Professional Achievement - Paula Cherry, Portland West Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 457** -- Memorials, Professional Achievement - Donna Krantz, Portland East Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 458** -- Memorials, Professional Achievement - Kavonya Keeler, Liberty Creek Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 459** -- Memorials, Professional Achievement - Darla Oglesby, Knox Doss Middle School at Drakes Creek Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 460** -- Memorials, Professional Achievement - Christie Gilbert, Joe Shafer Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 461** -- Memorials, Professional Achievement - Tonya Billingsley, Hawkins Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 462** -- Memorials, Professional Achievement - Lisa Brinkley, Ellis Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 463** -- Memorials, Professional Achievement - Bobby Bell, Westmoreland Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 464** -- Memorials, Professional Achievement - Crystal Rogers, Watt Hardison Elementary School Support Employee of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 465** -- Memorials, Professional Achievement - Cindy Wheeler, Walton Ferry Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 466** -- Memorials, Professional Achievement - Alexis Gentry, Vena Stuart Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 467** -- Memorials, Professional Achievement - Teresa Jones, Union STEM Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 468** -- Memorials, Professional Achievement - Brynn Curtis, Station Camp Elementary School Support Employee of the Year. by *Haile, *Campbell.

***Senate Joint Resolution No. 469** -- Memorials, Professional Achievement - Tammi Calvert, Portland Gateview Elementary School Support Employee of the Year. by *Haile, *Campbell.

***Senate Joint Resolution No. 470** -- Memorials, Professional Achievement - Jacqueline English, Oakmont Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 471** -- Memorials, Professional Achievement - Sammy Handshoe, North Sumner Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 472** -- Memorials, Sports - Fulton High School boys' basketball team, TSSAA Division I, Class 3A state champions. by *Massey, *McNally, *Briggs.

***Senate Joint Resolution No. 473** -- Memorials, Retirement - Dr. Lewis Mark McAdoo. by *Yager.

***Senate Joint Resolution No. 474** -- Memorials, Recognition - Don Willoughby, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 475** -- Memorials, Recognition - Bob Pruitt, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 476** -- Memorials, Recognition - Lounita and Bobby Howard, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 477** -- Memorials, Recognition - James Ray Johnson, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 478** -- Memorials, Recognition - Chancellor Flora Tydings. by *Lundberg, *Crowe, *Hensley, *Jackson, *Massey, *Powers, *Southerland.

***Senate Joint Resolution No. 479** -- Memorials, Interns - Andrew Scott Gunter. by *Yager.

***Senate Joint Resolution No. 480** -- Memorials, Interns - Virginia Nicole McFarland. by *Yager, *Stevens.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 481** -- Memorials, Recognition - Alvin and Margaret Large. by *Niceley.

***Senate Joint Resolution No. 483** -- Memorials, Sports - McKenzie High School girls' basketball team, TSSAA Division I, Class A champions. by *Stevens.

***Senate Joint Resolution No. 484** -- Memorials, Sports - Westview High School Lady Chargers basketball team, TSSAA Class 2A state champions. by *Stevens.

***Senate Joint Resolution No. 485** -- Memorials, Sports - McKenzie High School Rebels football team, TSSAA Division I, Class 1A state champions. by *Stevens.

***Senate Joint Resolution No. 486** -- Memorials, Sports - Jackson Cassidy, 2022 Tennessee Titans Mr. Football Award, Division I, Class 1A. by *Stevens.

***Senate Joint Resolution No. 487** -- Memorials, Recognition - Dodson Branch Elementary School, 2022 Reward School. by *Bailey.

***Senate Joint Resolution No. 488** -- Memorials, Recognition - Cumberland County Fair, 2022 Champion of Champions Fair. by *Bailey.

***Senate Joint Resolution No. 489** -- Memorials, Recognition - Putnam County Agricultural and Industrial Fair, Premier Fair in Tennessee. by *Bailey.

***Senate Joint Resolution No. 492** -- Memorials, Recognition - Tanners Historic Cafe, 100th anniversary. by *Yager.

***Senate Joint Resolution No. 493** -- Memorials, Recognition - Head Coach Corey Gipson, Austin Peay State University men's basketball. by *Powers.

***Senate Joint Resolution No. 494** -- Memorials, Retirement - Carole Bucy. by *Campbell, *Yarbro.

***Senate Joint Resolution No. 495** -- Memorials, Interns - Iman Ahmed. by *Akbari.

***Senate Joint Resolution No. 496** -- Memorials, Academic Achievement - Alyssa Mae Chappell, Valedictorian, McEwen High School. by *Roberts.

***Senate Joint Resolution No. 497** -- Memorials, Academic Achievement - Rylee Cate Turner, Valedictorian, McEwen High School. by *Roberts.

***Senate Joint Resolution No. 498** -- Memorials, Academic Achievement - Elizabeth Erin Bagsby, Valedictorian, Dickson County High School. by *Roberts.

***Senate Joint Resolution No. 499** -- Memorials, Academic Achievement - Hannah Taylor Wallace, Salutatorian, Dickson County High School. by *Roberts.

***Senate Joint Resolution No. 500** -- Memorials, Academic Achievement - James Edward Bozman, Valedictorian, Waverly Central High School. by *Roberts.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 501** -- Memorials, Academic Achievement - Isabel Grace Greenwell, Valedictorian, Waverly Central High School. by *Roberts.

***Senate Joint Resolution No. 502** -- Memorials, Recognition - Karly Martin, Valedictorian, East Hickman High School. by *Roberts.

***Senate Joint Resolution No. 503** -- Memorials, Academic Achievement - Chelsea Easton, Salutatorian, East Hickman High School. by *Roberts.

***Senate Joint Resolution No. 504** -- Memorials, Academic Achievement - Weston Elkins, Valedictorian, Hickman County High School. by *Roberts.

***Senate Joint Resolution No. 505** -- Memorials, Academic Achievement - Sloan Rochelle, Salutatorian, Hickman County High School. by *Roberts.

***Senate Joint Resolution No. 506** -- Memorials, Academic Achievement - Emma Baker, Valedictorian, Christian Community Schools. by *Roberts.

***Senate Joint Resolution No. 507** -- Memorials, Academic Achievement - John Mosley, Salutatorian, Christian Community Schools. by *Roberts.

***Senate Joint Resolution No. 508** -- Memorials, Academic Achievement - Marissa Catherine Long, Valedictorian, South Haven Christian School. by *Roberts.

***Senate Joint Resolution No. 509** -- Memorials, Academic Achievement - Jonathan Jose Palafox. by *Roberts.

***Senate Joint Resolution No. 510** -- Memorials, Academic Achievement - Makenzie Joy Van der Hengst, Valedictorian, South Haven Christian School. by *Roberts.

***Senate Joint Resolution No. 511** -- Memorials, Academic Achievement - Abigail Erin Grimes, Salutatorian, South Haven Christian School. by *Roberts.

***Senate Joint Resolution No. 512** -- Memorials, Recognition - Bob Bernstein. by *Campbell, *Yarbro.

***Senate Joint Resolution No. 513** -- Memorials, Death - Dr. Dennis S. Freeman. by *Massey, *Briggs, *McNally.

***Senate Joint Resolution No. 514** -- Memorials, Recognition - Mullins Vision Associates, 100th Anniversary. by *Bailey.

***Senate Joint Resolution No. 515** -- Memorials, Recognition - Angela Chesebro, Cookeville Police Department Communications Operator, Ken Owen Memorial Award. by *Bailey.

***Senate Joint Resolution No. 516** -- Memorials, Personal Occasion - H. Glenn McDonald, 90th birthday. by *Bailey.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 517** -- Memorials, Sports - Algood Middle School girls' soccer team. by *Bailey.

***Senate Joint Resolution No. 518** -- Memorials, Academic Achievement - Daniel Brandt Forrest, Salutatorian, Creek Wood High School. by *Roberts.

***Senate Joint Resolution No. 519** -- Memorials, Academic Achievement - Dylan Allen Hembree, Valedictorian, Creek Wood High School. by *Roberts.

***Senate Joint Resolution No. 520** -- Memorials, Recognition - the late Dr. Margaret A. Newman. by *Kyle.

***Senate Joint Resolution No. 521** -- Memorials, Recognition - Alex Beene, National Award from Coalition on Adult Basic Education. by *Walley.

**MESSAGE FROM THE SENATE
April 10, 2023**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1102; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1102 -- Utilities, Utility Districts - As introduced, clarifies that commissioners for utility districts created pursuant to the Utility District Law of 1937 are not prohibited from serving more than two consecutive terms. - Amends TCA Title 7, Chapter 82, Part 3. by *Bowling. (*HB919 by *Rudder)

**MESSAGE FROM THE SENATE
April 10, 2023**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 585 and 591; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 585** -- Memorials, Recognition - Wayne Jerrolds. by *Walley.

***Senate Joint Resolution No. 591** -- Memorials, Death - Herbert Haggard Brewer. by *Walley.

WELCOMING AND HONORING

RECOGNITION IN THE WELL

1312

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Representative Keisling was recognized in the Well to honor the memory of Kellie Walker of Scott County.

RESOLUTION READ

The Clerk read House Joint Resolution No. 162, adopted February 6, 2023.

***House Joint Resolution No. 162** -- Memorials, Death - Kellie Walker. by *Keisling.
(*Yager)

RECOGNITION IN THE WELL

Representative Howell was recognized in the Well to honor TDOT Deputy Commissioner and Chief Policy Advisor Paul D. Degges upon his retirement.

RESOLUTION READ

The Clerk read Senate Joint Resolution No. 482, concurred in March 30, 2023.

***Senate Joint Resolution No. 482** -- Memorials, Retirement - TDOT Deputy Commissioner and Chief Policy Advisor Paul D. Degges. by *Massey, *Briggs, *Akbari, *Bailey, *Bowling, *Campbell, *Crowe, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Niceley, *Oliver, *Pody, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Stevens, *Swann, *Taylor, *Walley, *Watson, *White, *Yager, *Yarbro, *McNally.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 13, 2023:

House Resolution No. 71 -- Memorials, Interns - Abigail Adu. by *Russell.

House Resolution No. 72 -- Memorials, Recognition - Jack and Jill of America, Day at the Capitol. by *Dixie.

***House Joint Resolution No. 531** -- Memorials, Interns - Christian MacDaniel Mahan. by *Williams.

***House Joint Resolution No. 532** -- Memorials, Academic Achievement - Anisah Dowell, Salutatorian, Smyrna High School. by *Sparks.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***House Joint Resolution No. 533** -- Memorials, Academic Achievement - Trevon Collins, Valedictorian, Smyrna High School. by *Sparks.

***House Joint Resolution No. 534** -- Memorials, Recognition - Derek Marcel Green. by *Freeman.

***House Joint Resolution No. 535** -- Memorials, Death - Chief Justice William M. "Mickey" Barker. by *Hazlewood.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 13, 2023:

***Senate Joint Resolution No. 358** -- Memorials, Interns - Laura Grace Jenkins. by *McNally, *Niceley, *Massey.

***Senate Joint Resolution No. 359** -- Memorials, Interns - Amanda Taylor. by *McNally, *Campbell.

***Senate Joint Resolution No. 362** -- Memorials, Interns - Miracle Mitchell. by *Crowe.

***Senate Joint Resolution No. 363** -- Memorials, Sports - Rodgerick "RJ" Robinson, Jr., TSSAA Class A Mr. Basketball. by *Walley.

***Senate Joint Resolution No. 364** -- Memorials, Professional Achievement - Marilyn Morton, Trousdale County Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 365** -- Memorials, Professional Achievement - Charles Miller, Jim B. Satterfield Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 366** -- Memorials, Professional Achievement - Penny Story, Trousdale County High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 367** -- Memorials, Professional Achievement - Nicole Craddock, Sumner County High School Teacher of the Year and Gallatin High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 368** -- Memorials, Professional Achievement - Angie Frye, White House Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 369** -- Memorials, Professional Achievement - Jacquelyn Fowler, Westmoreland Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 370** -- Memorials, Professional Achievement - Patricia Szymanski, Sumner County Grades 5-8 Teacher of the Year and T.W. Hunter Middle School Teacher of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 371** -- Memorials, Professional Achievement - Brittany Johnson, Station Camp Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 372** -- Memorials, Professional Achievement - Grace Lynne Fleming, Rucker-Stewart Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 373** -- Memorials, Professional Achievement - Kimberly Baughn, Portland West Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 374** -- Memorials, Professional Achievement - Chasity Gregory, Portland East Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 375** -- Memorials, Professional Achievement - Johnna Hutchison, Liberty Creek Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 376** -- Memorials, Professional Achievement - Daniel Musick, Knox Doss Middle School at Drakes Creek Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 377** -- Memorials, Professional Achievement - Tina Tuttle, Joe Shafer Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 378** -- Memorials, Professional Achievement - Kimberly H. Wade, Hawkins Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 379** -- Memorials, Professional Achievement - Jill Swanson, Ellis Middle School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 380** -- Memorials, Professional Achievement - Jan Cornwell, Westmoreland Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 381** -- Memorials, Professional Achievement - Crystal Connally, Watt Hardison Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 382** -- Memorials, Professional Achievement - Alison Harris, Walton Ferry Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 383** -- Memorials, Professional Achievement - Kari Petty, Vena Stuart Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 384** -- Memorials, Professional Achievement - Stacy Porter, Union STEM Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 385** -- Memorials, Professional Achievement - Stacy Stover, Station Camp Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 386** -- Memorials, Professional Achievement - Mary Scruggs, Portland Gateview Elementary School Teacher of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 387** -- Memorials, Professional Achievement - Skyler Richardson, Howard Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 388** -- Memorials, Professional Achievement - Twila Walker, H.B. Williams Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 389** -- Memorials, Professional Achievement - Curtis Cathcart, Guild Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 390** -- Memorials, Professional Achievement - Jillianne Myers, Sumner County Grades K-4 Teacher of the Year and George Whitten Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 391** -- Memorials, Professional Achievement - Julia Munday, Gene Brown Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 392** -- Memorials, Professional Achievement - Miranda Rogers, Dr. William Burrus Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 393** -- Memorials, Professional Achievement - Lori Vanderpool, Clyde Riggs Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 394** -- Memorials, Professional Achievement - Marissa Wells, Bethpage Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 395** -- Memorials, Professional Achievement - Julianna Bennett, Benny Bills Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 396** -- Memorials, Professional Achievement - Cassie Venable, Beech Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 397** -- Memorials, Professional Achievement - Meredith Baker, Oakmont Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 398** -- Memorials, Professional Achievement - Sarah Borders, North Sumner Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 399** -- Memorials, Professional Achievement - Ellie Campbell, Nannie Berry Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 400** -- Memorials, Professional Achievement - Angel Drennan, Millersville Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 401** -- Memorials, Professional Achievement - Kristina Young, Station Camp High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 402** -- Memorials, Professional Achievement - Chandra Merryman, R.T. Fisher High School Teacher of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 403** -- Memorials, Professional Achievement - Brenda Barnes-Uhls, Portland High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 404** -- Memorials, Professional Achievement - Michele Summers, Merrol Hyde Magnet School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 405** -- Memorials, Professional Achievement - Erin Stratakis, Liberty Creek High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 406** -- Memorials, Professional Achievement - Andrew Martin, Hendersonville High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 407** -- Memorials, Professional Achievement - Katie Brown, Sumner County Schools Supervisor of the Year. by *Haile.

***Senate Joint Resolution No. 408** -- Memorials, Professional Achievement - Adam Cripps, Sumner County Schools Principal of the Year. by *Haile.

***Senate Joint Resolution No. 409** -- Memorials, Professional Achievement - Dr. Lauren Wilson, Sumner County Schools Assistant Principal of the Year. by *Haile.

***Senate Joint Resolution No. 410** -- Memorials, Professional Achievement - Heidi Sons, Sumner County Schools' Dr. Jennifer V. Brown Instructional Coaching Award. by *Haile.

***Senate Joint Resolution No. 411** -- Memorials, Professional Achievement - Shalamar Workings, Guild Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 412** -- Memorials, Professional Achievement - Mary Stoller, George Whitten Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 413** -- Memorials, Professional Achievement - Donna Holland, Gene Brown Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 414** -- Memorials, Professional Achievement - Amy Bierman, Dr. William Burrus Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 415** -- Memorials, Professional Achievement - Kristin Jeffs, Clyde Riggs Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 416** -- Memorials, Professional Achievement - Regina Dickinson, Bethpage Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 417** -- Memorials, Professional Achievement - Cathy Brashear, Benny Bills Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 418** -- Memorials, Professional Achievement - Frederick McDonald, Beech Elementary School Support Employee of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 419** -- Memorials, Professional Achievement - Peter Buchanan, White House High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 420** -- Memorials, Professional Achievement - Rachel Hester, Westmoreland High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 421** -- Memorials, Professional Achievement - Emily Edmison, Beech High School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 422** -- Memorials, Professional Achievement - Peggy Gigax, Sumner County Schools and Nannie Berry Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 423** -- Memorials, Professional Achievement - Jennifer Johnson, Millersville Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 424** -- Memorials, Professional Achievement - Dianne Schneider, Madison Creek Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 425** -- Memorials, Professional Achievement - Kevin Murray, Liberty Creek Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 426** -- Memorials, Professional Achievement - Kimberly Skelton, Lakeside Park Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 427** -- Memorials, Professional Achievement - Yvonne Souza, J.W. Wiseman Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 428** -- Memorials, Professional Achievement - Horace Williams, Jack Anderson Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 429** -- Memorials, Professional Achievement - Sheryl Godsey, Indian Lake Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 430** -- Memorials, Professional Achievement - Larry Moore, Howard Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 431** -- Memorials, Professional Achievement - Deanna Rhoades, H.B. Williams Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 432** -- Memorials, Professional Achievement - Kim Startup, Madison Creek Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 433** -- Memorials, Professional Achievement - Amy McAllister, Liberty Creek Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 434** -- Memorials, Personal Achievement - Amanda Chapman, Lakeside Park Elementary School Teacher of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 435** -- Memorials, Professional Achievement - Kim Bennett, J.W. Wiseman Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 436** -- Memorials, Professional Achievement - Brooke Martindale. Jack Anderson Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 437** -- Memorials, Professional Achievement - Susan James, Indian Lake Elementary School Teacher of the Year. by *Haile.

***Senate Joint Resolution No. 438** -- Memorials, Professional Achievement - Chuck Jones, Sumner County Schools Support Services Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 439** -- Memorials, Professional Achievement - Rosy Anderson, Sumner County Schools Transportation Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 440** -- Memorials, Professional Achievement - Rhonda Jernigan, Sumner County Schools Central Office Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 441** -- Memorials, Professional Achievement - Lisa Stewart, White House High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 442** -- Memorials, Professional Achievement - Regina Perry, Westmoreland High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 443** -- Memorials, Professional Achievement - Karen Hankins, Station Camp High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 444** -- Memorials, Professional Achievement - Phyllis Bennett, R.T. Fisher High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 445** -- Memorials, Professional Achievement - Bill Anglemyer, Sumner County Schools and Portland High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 446** -- Memorials, Professional Achievement - Windy Robinson, Merrol Hyde Magnet School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 447** -- Memorials, Professional Achievement - Kavonya Keeler, Liberty Creek High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 448** -- Memorials, Professional Achievement - Tracy Dove, Hendersonville High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 449** -- Memorials, Professional Achievement - Katherine Cartwright, Gallatin High School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 450** -- Memorials, Professional Achievement - Donna Dyer, Beech High School Support Employee of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 451** -- Memorials, Professional Achievement - Elaine Lowe, White House Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 452** -- Memorials, Professional Achievement - Debbie Brown, Westmoreland Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 453** -- Memorials, Professional Achievement - Frank Omiyale, T.W. Hunter Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 454** -- Memorials, Professional Achievement - Ellen Bailey, Station Camp Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 455** -- Memorials, Professional Achievement - Ralph Barksdale, Rucker-Stewart Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 456** -- Memorials, Professional Achievement - Paula Cherry, Portland West Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 457** -- Memorials, Professional Achievement - Donna Krantz, Portland East Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 458** -- Memorials, Professional Achievement - Kavonya Keeler, Liberty Creek Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 459** -- Memorials, Professional Achievement - Darla Oglesby, Knox Doss Middle School at Drakes Creek Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 460** -- Memorials, Professional Achievement - Christie Gilbert, Joe Shafer Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 461** -- Memorials, Professional Achievement - Tonya Billingsley, Hawkins Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 462** -- Memorials, Professional Achievement - Lisa Brinkley, Ellis Middle School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 463** -- Memorials, Professional Achievement - Bobby Bell, Westmoreland Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 464** -- Memorials, Professional Achievement - Crystal Rogers, Watt Hardison Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 465** -- Memorials, Professional Achievement - Cindy Wheeler, Walton Ferry Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 466** -- Memorials, Professional Achievement - Alexis Gentry, Vena Stuart Elementary School Support Employee of the Year. by *Haile.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 467** -- Memorials, Professional Achievement - Teresa Jones, Union STEM Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 468** -- Memorials, Professional Achievement - Brynn Curtis, Station Camp Elementary School Support Employee of the Year. by *Haile, *Campbell.

***Senate Joint Resolution No. 469** -- Memorials, Professional Achievement - Tammi Calvert, Portland Gateview Elementary School Support Employee of the Year. by *Haile, *Campbell.

***Senate Joint Resolution No. 470** -- Memorials, Professional Achievement - Jacqueline English, Oakmont Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 471** -- Memorials, Professional Achievement - Sammy Handshoe, North Sumner Elementary School Support Employee of the Year. by *Haile.

***Senate Joint Resolution No. 472** -- Memorials, Sports - Fulton High School boys' basketball team, TSSAA Division I, Class 3A state champions. by *Massey, *McNally, *Briggs.

***Senate Joint Resolution No. 473** -- Memorials, Retirement - Dr. Lewis Mark McAdoo. by *Yager.

***Senate Joint Resolution No. 474** -- Memorials, Recognition - Don Willoughby, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 475** -- Memorials, Recognition - Bob Pruitt, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 476** -- Memorials, Recognition - Lounita and Bobby Howard, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 477** -- Memorials, Recognition - James Ray Johnson, Wilson County Agricultural Hall of Fame. by *Pody.

***Senate Joint Resolution No. 478** -- Memorials, Recognition - Chancellor Flora Tydings. by *Lundberg, *Crowe, *Hensley, *Jackson, *Massey, *Powers, *Southerland.

***Senate Joint Resolution No. 479** -- Memorials, Interns - Andrew Scott Gunter. by *Yager.

***Senate Joint Resolution No. 480** -- Memorials, Interns - Virginia Nicole McFarland. by *Yager, *Stevens.

***Senate Joint Resolution No. 481** -- Memorials, Recognition - Alvin and Margaret Large. by *Niceley.

***Senate Joint Resolution No. 483** -- Memorials, Sports - McKenzie High School girls' basketball team, TSSAA Division I, Class A champions. by *Stevens.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 484** -- Memorials, Sports - Westview High School Lady Chargers basketball team, TSSAA Class 2A state champions. by *Stevens.

***Senate Joint Resolution No. 485** -- Memorials, Sports - McKenzie High School Rebels football team, TSSAA Division I, Class 1A state champions. by *Stevens.

***Senate Joint Resolution No. 486** -- Memorials, Sports - Jackson Cassidy, 2022 Tennessee Titans Mr. Football Award, Division I, Class 1A. by *Stevens.

***Senate Joint Resolution No. 487** -- Memorials, Recognition - Dodson Branch Elementary School, 2022 Reward School. by *Bailey.

***Senate Joint Resolution No. 488** -- Memorials, Recognition - Cumberland County Fair, 2022 Champion of Champions Fair. by *Bailey.

***Senate Joint Resolution No. 489** -- Memorials, Recognition - Putnam County Agricultural and Industrial Fair, Premier Fair in Tennessee. by *Bailey.

***Senate Joint Resolution No. 492** -- Memorials, Recognition - Tanners Historic Cafe, 100th anniversary. by *Yager.

***Senate Joint Resolution No. 493** -- Memorials, Recognition - Head Coach Corey Gipson, Austin Peay State University men's basketball. by *Powers.

***Senate Joint Resolution No. 494** -- Memorials, Retirement - Carole Bucy. by *Campbell, *Yarbro.

***Senate Joint Resolution No. 495** -- Memorials, Interns - Iman Ahmed. by *Akbari.

***Senate Joint Resolution No. 496** -- Memorials, Academic Achievement - Alyssa Mae Chappell, Valedictorian, McEwen High School. by *Roberts.

***Senate Joint Resolution No. 497** -- Memorials, Academic Achievement - Rylee Cate Turner, Valedictorian, McEwen High School. by *Roberts.

***Senate Joint Resolution No. 498** -- Memorials, Academic Achievement - Elizabeth Erin Bagsby, Valedictorian, Dickson County High School. by *Roberts.

***Senate Joint Resolution No. 499** -- Memorials, Academic Achievement - Hannah Taylor Wallace, Salutatorian, Dickson County High School. by *Roberts.

***Senate Joint Resolution No. 500** -- Memorials, Academic Achievement - James Edward Bozman, Valedictorian, Waverly Central High School. by *Roberts.

***Senate Joint Resolution No. 501** -- Memorials, Academic Achievement - Isabel Grace Greenwell, Valedictorian, Waverly Central High School. by *Roberts.

***Senate Joint Resolution No. 502** -- Memorials, Recognition - Karly Martin, Valedictorian, East Hickman High School. by *Roberts.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 503** -- Memorials, Academic Achievement - Chelsea Easton, Salutatorian, East Hickman High School. by *Roberts.

***Senate Joint Resolution No. 504** -- Memorials, Academic Achievement - Weston Elkins, Valedictorian, Hickman County High School. by *Roberts.

***Senate Joint Resolution No. 505** -- Memorials, Academic Achievement - Sloan Rochelle, Salutatorian, Hickman County High School. by *Roberts.

***Senate Joint Resolution No. 506** -- Memorials, Academic Achievement - Emma Baker, Valedictorian, Christian Community Schools. by *Roberts.

***Senate Joint Resolution No. 507** -- Memorials, Academic Achievement - John Mosley, Salutatorian, Christian Community Schools. by *Roberts.

***Senate Joint Resolution No. 508** -- Memorials, Academic Achievement - Marissa Catherine Long, Valedictorian, South Haven Christian School. by *Roberts.

***Senate Joint Resolution No. 509** -- Memorials, Academic Achievement - Jonathan Jose Palafox. by *Roberts.

***Senate Joint Resolution No. 510** -- Memorials, Academic Achievement - Makenzie Joy Van der Hengst, Valedictorian, South Haven Christian School. by *Roberts.

***Senate Joint Resolution No. 511** -- Memorials, Academic Achievement - Abigail Erin Grimes, Salutatorian, South Haven Christian School. by *Roberts.

***Senate Joint Resolution No. 512** -- Memorials, Recognition - Bob Bernstein. by *Campbell, *Yarbro.

***Senate Joint Resolution No. 513** -- Memorials, Death - Dr. Dennis S. Freeman. by *Massey, *Briggs, *McNally.

***Senate Joint Resolution No. 514** -- Memorials, Recognition - Mullins Vision Associates, 100th Anniversary. by *Bailey.

***Senate Joint Resolution No. 515** -- Memorials, Recognition - Angela Chesebro, Cookeville Police Department Communications Operator, Ken Owen Memorial Award. by *Bailey.

***Senate Joint Resolution No. 516** -- Memorials, Personal Occasion - H. Glenn McDonald, 90th birthday. by *Bailey.

***Senate Joint Resolution No. 517** -- Memorials, Sports - Algood Middle School girls' soccer team. by *Bailey.

***Senate Joint Resolution No. 518** -- Memorials, Academic Achievement - Daniel Brandt Forrest, Salutatorian, Creek Wood High School. by *Roberts.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Joint Resolution No. 519** -- Memorials, Academic Achievement - Dylan Allen Hembree, Valedictorian, Creek Wood High School. by *Roberts.

***Senate Joint Resolution No. 520** -- Memorials, Recognition - the late Dr. Margaret A. Newman. by *Kyle.

***Senate Joint Resolution No. 521** -- Memorials, Recognition - Alex Beene, National Award from Coalition on Adult Basic Education. by *Walley.

***Senate Joint Resolution No. 591** -- Memorials, Death - Herbert Haggard Brewer. by *Walley.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 22** -- Sexual Offenses - As introduced, requires each local law enforcement agency to assemble, by January 1, 2024, an adult sexual assault response team to assist in responding to incidents of sexual assault with adult victims that occur within the agency's jurisdiction; requires each team to include members with expertise in a variety of disciplines relevant to sexual assault response. - Amends TCA Title 38. by *Massey, *Campbell, *Akbari, *Lamar, *Lowe. (HB415 by *Davis, *Hardaway, *Freeman, *Townes, *Clemmons, *Helton-Haynes, *Powell)

***Senate Bill No. 27** -- Open Meetings - As introduced, requires governing bodies to make agendas of meetings and supplemental meeting documents available to the public at least 48 hours prior to the meeting. - Amends TCA Title 8, Chapter 44. by *Gardenhire, *Haile, *Yager. (HB23 by *Moon, *Todd, *Helton-Haynes, *Jernigan, *Rudder, *Farmer, *Faison, *Martin G, *Lamberth, *Grills, *Bricken, *Vital, *Eldridge, *Wright, *Clemmons, *Howell, *Ragan)

***Senate Bill No. 68** -- Administrative Procedure (UAPA) - As introduced, continues permanent rules filed with the secretary of state between January 1, 2022, and December 31, 2022, that are in effect on the effective date of this act until repealed or amended by subsequent rule of the appropriate rulemaking agency or until otherwise superseded by legislative enactment. - Amends TCA Title 4, Chapter 5. by *Roberts. (HB234 by *Ragan)

***Senate Bill No. 301** -- Education, Higher - As introduced, allows adjunct faculty to participate in the Brian Byrge Act by allowing them to enroll in one course consisting of no more than four credit hours or 120 clock hours, per term at the community college or Tennessee college of applied technology at which they are employed, without paying tuition charges or maintenance fees. - Amends TCA Section 49-7-158. by *Lundberg, *Lowe. (HB961 by *Hicks G)

***Senate Bill No. 317** -- Education - As introduced, extends the benefits and opportunities provided to children of active duty members of the uniformed services in the Interstate Compact on Educational Opportunity for Military Children to school-aged children in the household of a member of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard who are enrolled in any of the grades kindergarten

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

through 12. - Amends TCA Title 49. by *Powers, *Lowe. (HB1416 by *Ragan, *Raper, *Fritts, *Butler)

***Senate Bill No. 429** -- Local Government, General - As introduced, expresses legislative intent that the persons appointed to a charter commission for the consolidation of the functions of the county and creation of a metropolitan government be representative of both incorporated and unincorporated areas of the county. - Amends TCA Title 5; Title 6; Title 7; Title 9 and Title 67. by *Taylor, *Hensley, *Rose. (HB474 by *Ragan)

***Senate Bill No. 466** -- Teachers, Principals and School Personnel - As introduced, specifies that a teacher or other employee of a public school or LEA is not required to refer to a student using the student's preferred pronoun if the pronoun is not consistent with the student's biological sex; insulates a teacher or other employee of a public school or LEA from civil liability and adverse employment action for referring to a student using the pronoun that is consistent with the student's biological sex. - Amends TCA Title 49, Chapter 6. by *Rose, *Haile, *Crowe, *Hensley, *Jackson, *Pody, *Stevens, *Taylor, *Walley. (HB1269 by *Cochran, *Faison, *Lamberth, *Powers)

Senate Bill No. 496 -- Sentencing - As introduced, requires the superintendent or jailer to notify the department of corrections of the amount of sentence reduction credits for good institutional behavior that a convicted felon should receive for the felon's time incarcerated prior to imposition of sentence instead of the superintendent or jailer objecting to an award of credits at the rate of eight days for each month served. - Amends TCA Title 40 and Title 41. by *Stevens, *Taylor. (*HB385 by *Lamberth, *Doggett, *Gillespie)

Senate Bill No. 537 -- Adoption - As introduced, changes from 10 years or more to six years or more the time period for which a parent or guardian must have been confined in a correctional or detention facility by a court order as a result of a criminal act as a ground for termination of parental or guardianship rights; specifies that the court order confining the defendant may be the result of one or more criminal acts; removes requirement that the child be under eight years of age at the time the sentence is entered by the court. - Amends TCA Title 36 and Title 37. by *Haile, *Lowe, *Reeves, *Rose. (*HB461 by *Slater, *Helton-Haynes, *Davis, *Littleton, *Stevens, *Butler)

***Senate Bill No. 591** -- Municipal Government - As introduced, abolishes community oversight boards and authorizes municipalities to create police advisory and review committees to ensure the timely, fair, and objective review of citizen complaints and to make recommendations concerning such complaints. - Amends TCA Title 38, Chapter 8. by *Pody, *Bowling, *Hensley. (HB764 by *Davis, *Lamberth)

***Senate Bill No. 648** -- Taxes - As introduced, terminates future increases to the metropolitan government tourist accommodation tax and previously authorized privilege taxes that were increases from the base tax, for which proceeds are used to fund the convention center in Davidson County; terminates other additional fees, taxes, and surcharges deposited into the "convention center fund"; terminates allocations of sales and use tax revenue derived from sales within the tourist development zone in which the convention center is located. - Amends TCA Title 7 and Title 67. by *Johnson, *Bowling, *Stevens. (HB1279 by *Davis, *Russell)

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***Senate Bill No. 753** -- Pharmacy, Pharmacists - As introduced, vacates the board of pharmacy, adds two pharmacy technician members to the board, and makes various other changes to the board's composition; authorizes the board to employ or retain general counsel. - Amends TCA Title 4, Chapter 29; Title 63, Chapter 1 and Title 63, Chapter 10, Part 3. by *Haile, *Reeves, *Walley. (HB1317 by *Kumar)

Senate Bill No. 782 -- Utilities, Utility Districts - As introduced, increases, from two to three, the minimum number of times the underground utility damage enforcement board is required to meet in a calendar year. - Amends TCA Title 4, Chapter 5 and Title 65, Chapter 31. by *Walley. (*HB798 by *Johnson C, *Ragan)

***Senate Bill No. 817** -- Education, Higher - As introduced, enacts the "Tennessee Higher Education Freedom of Expression and Transparency Act." - Amends TCA Title 49, Chapter 7 and Title 49, Chapter 8. by *Hensley, *Bowling, *Briggs, *Rose. (HB1376 by *Ragan, *Fritts, *Hicks T, *Slater, *Hawk)

Senate Bill No. 871 -- Taxes, Real Property - As introduced, authorizes local legislative bodies to set the income limit for persons who are 65 years of age or older and otherwise eligible for property tax relief under the Property Tax Freeze Act at \$60,000. - Amends TCA Title 67, Chapter 5, Part 7. by *Akbari, *Lamar. (*HB366 by *Love, *Clemmons, *Hardaway)

Senate Bill No. 1146 -- Insurance, Health, Accident - As introduced, changes a utility district board member's insurance compensation option from payment to reimbursement of payment for premiums paid for equivalent or similar medical insurance coverage and life insurance coverage by the member; allows a utility district board member to receive reimbursement of premiums paid for medical insurance coverage under medicare and any medicare supplement insurance policy. - Amends TCA Title 7, Chapter 82. by *Niceley. (*HB753 by *Littleton)

Senate Bill No. 1336 -- Public Contracts - As introduced, requires the state procurement commission to strive to ensure that at least 5 percent of procurement contracts are awarded to veteran-owned businesses. - Amends TCA Title 12. by *Bailey. (*HB311 by *Butler, *Sexton, *Ragan, *Moon, *Keisling, *Davis, *Richey, *Raper, *McCalmon, *Carringer, *Littleton, *Powers)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 1571** -- Oakland -- House Local Government Committee

***House Bill No. 1572** -- Bolivar -- House Local Government Committee

House Bill No. 1573 -- Sullivan County -- House Local Government Committee

REPORTS FROM STANDING COMMITTEES

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

The committees that met on **April 10, 2023**, reported the following:

GOVERNMENT OPERATIONS COMMITTEE

The Government Operations Committee recommended for passage: House Bills Nos. 1197, 424, 942 and 1380. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 403, 1150, 432, 1025, 496, 952, 1317 and 348, also House Bill No. 1336 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSENT CALENDAR

***House Bill No. 1567** -- Overton County - Subject to local approval, establishes that juvenile court has concurrent jurisdiction with chancery and circuit courts relating to cases of adoption, pursuant to general law. by *Butler.

***House Bill No. 537** -- Game and Fish Laws - As introduced, deletes the requirement that proceeds from the sale of lifetime sportsman licenses be deposited into the lifetime sportsman endowment fund. - Amends TCA Title 70, Chapter 1, Part 5. by *Cochran, *Faison.

***House Bill No. 1558** -- Niota - Subject to local approval, requires the salary of the mayor and commissioners be set by ordinance in conjunction with the annual budget rather than pursuant to fixed amounts in the charter; removes general supervisory authority of the commissioner of finance and taxation over the city library; removes requirement that the city administrator report directly to the mayor and board of commissioners; removes residency requirement for city administrator. - Amends Chapter 48 of the Private Acts of 1919; as amended and rewritten. by *Cochran.

***Senate Joint Resolution No. 4** -- Memorials, Recognition - Nation of Israel, 75th anniversary. by *Pody, *Akbari, *Bailey, *Bowling, *Briggs, *Campbell, *Crowe, *Gardenhire, *Haile, *Hensley, *Jackson, *Johnson, *Kyle, *Lamar, *Lowe, *Lundberg, *Massey, *Niceley, *Oliver, *Powers, *Reeves, *Roberts, *Rose, *Southerland, *Stevens, *Swann, *Taylor, *Walley, *Watson, *White, *Yager, *Yarbro, *McNally.

House Bill No. 312 -- Adoption - As introduced, makes various changes in regard to maintaining and securing documents in certain parental rights proceedings and the grounds for termination of parental rights. - Amends TCA Title 36, Chapter 1, Part 1. by *Lamberth, *Cochran, *Littleton.

***House Bill No. 1564** -- Burns - Subject to local approval, moves from the first Monday in April to the second Monday in December the date for the biennial organizational meeting of the incoming board of commissioners; moves the monthly meeting of the board to the second Monday of each month. - Amends Chapter 89 of the Private Acts of 2008. by *Littleton.

***House Bill No. 1126** -- Victims' Rights - As introduced, requires judge to order payment of restitution by owner who is convicted of allowing their dog to run loose and the dog causes

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

bodily injury or death to another person, or damages another person's property. - Amends TCA Title 29; Title 39 and Title 44. by *Sherrell.

On motion, House Bill No. 1126 was made to conform with **Senate Bill No. 1320**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1561** -- Sumner County - Subject to local approval, prohibits public entities in Sumner County from using eminent domain to acquire privately owned real property for parks, trails, paths, or greenways for walking, running, hiking, bicycling, or equestrian use, unless the privately owned real property is parallel to, runs directly along the length of, and extends in the same direction as a highway, road, or street,. by *Slater, *Garrett, *Lamberth.

***Senate Joint Resolution No. 35** -- General Assembly, Statement of Intent or Position - Rejects and expresses disapproval of the American Law Institute's 2022 changes to Article 213 of the Model Penal Code: Sexual Assault and Related Offenses. by *Walley.

***House Bill No. 1568** -- Murfreesboro - Subject to local approval, authorizes the creation of a solid waste authority; authorizes the authority to issue bonds. - Amends Chapter 429 of the Private Acts of 1931. by *Terry.

***House Bill No. 957** -- Lottery, Scholarships and Programs - As introduced, allows an eligible independent postsecondary institution and certain private, nonprofit technical schools to charge dual enrollment students tuition or fees in an amount that exceeds the amount of the student's dual enrollment grant. - Amends TCA Title 49, Chapter 4, Part 9. by *Slater.

On motion, House Bill No. 957 was made to conform with **Senate Bill No. 1408**; the Senate Bill was substituted for the House Bill.

House Resolution No. 66 -- Memorials, Recognition - Makky Kaylor. by *White.

House Resolution No. 67 -- Memorials, Interns - Britney Lin. by *Zachary.

House Resolution No. 68 -- Memorials, Death - Minister Suhkara A. Yahweh. by *Miller.

House Resolution No. 69 -- Memorials, Recognition - Jasmine Carson. by *Miller.

House Resolution No. 70 -- Memorials, Interns - Taylor Ray. by *Glynn.

***House Joint Resolution No. 513** -- Memorials, Recognition - Alexa Austin. by *Faison.

***House Joint Resolution No. 515** -- Memorials, Interns - Kay Allen. by *Ragan.

***House Joint Resolution No. 516** -- Memorials, Retirement - Marshall McKamey. by *Powers.

***House Joint Resolution No. 517** -- Memorials, Recognition - James Davis, Elbert K. Fretwell Award. by *Powers.

***House Joint Resolution No. 518** -- Memorials, Recognition - Judge E. Shayne Sexton, Campbell County Good Scout Award. by *Powers.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***House Joint Resolution No. 519** -- Memorials, Recognition - Mildred Mitchell. by *Powers.

***House Joint Resolution No. 520** -- Memorials, Retirement - Beverly Birdwell. by *Keisling.

***House Joint Resolution No. 521** -- Memorials, Recognition - Nashville Fire Department and Nashville Department of Emergency Communications 911. by *Freeman.

***House Joint Resolution No. 522** -- Memorials, Recognition - Sexual Assault Awareness Month. by *Freeman.

***House Joint Resolution No. 523** -- Memorials, Death - Evelyn Marie Dieckhaus. by *Freeman.

***House Joint Resolution No. 524** -- Memorials, Death - Hallie Scruggs. by *Freeman.

***House Joint Resolution No. 525** -- Memorials, Death - William Kinney. by *Freeman.

***House Joint Resolution No. 526** -- Memorials, Death - Dr. Katherine Koonce. by *Freeman.

***House Joint Resolution No. 527** -- Memorials, Death - Cynthia Broyles Peak. by *Freeman.

***House Joint Resolution No. 528** -- Memorials, Death - Michael "Mike" Hill. by *Freeman.

***House Joint Resolution No. 529** -- Memorials, Death - David Hicks Lillard, Sr. by *Lamberth, *Reedy, *Davis.

***House Joint Resolution No. 530** -- Memorials, Interns - Shania Sutton. by *Parkinson, *Harris, *Chism, *Dixie, *McKenzie.

***Senate Joint Resolution No. 559** -- Memorials, Recognition - Arab American Heritage Month. by *Massey.

OBJECTION--CONSENT CALENDAR

Objections were filed to the following on the Consent Calendar:

House Bill No. 312: by Rep. Clemmons

House Bill No. 1561: by Rep. Clemmons

Under the rules, House Bills Nos. 312 and 1561 were placed at the heel of the calendar for April 13, 2023.

Rep. Freeman moved that all members voting aye on House Joint Resolutions Nos. 521, 522, 523, 524, 525, 526, 527 and 528 be added as co-prime sponsors with the Davidson County

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Todd and Ragan.

Rep. Miller moved that all members of the Shelby County delegation voting aye on House Resolutions Nos. 68 and 69 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Todd and Ragan.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk’s desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk’s desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--94

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Joint Resolution No. 493** -- Memorials, Retirement - Senior Pastor Dr. John Jno Finn. by *Jones.

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Further consideration of House Joint Resolution No. 493, previously considered on the Consent Calendar for April 3, 2023, at which time it was objected to and reset for today's Regular Calendar.

Rep. Camper moved that **House Joint Resolution No. 493** be reset for the Regular Calendar on April 17, 2023, which motion prevailed.

***House Bill No. 395** -- Firearms and Ammunition - As introduced, allows persons who are not otherwise prohibited by law from possessing a handgun to carry a handgun while hunting under certain circumstances, rather than only persons with a handgun carry permit. - Amends TCA Title 44, Chapter 17 and Title 70, Chapter 4, Part 1. by *Capley, *Todd, *Doggett, *McCalmon, *Barrett, *Moody. (SB494 by *Stevens, *Lowe)

Further consideration of House Bill No. 395, previously considered on April 3, 2023, at which time it was reset for today's Regular Calendar.

On motion, House Bill No. 395 was made to conform with **Senate Bill No. 494**; the Senate Bill was substituted for the House Bill.

Rep. Capley moved that **Senate Bill No. 494** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 82
Noes..... 10
Present and not voting..... 1

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Cepicky, Chism, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--82

Representatives voting no were: Beck, Camper, Clemmons, Dixie, Hardaway, Harris, Johnson G, Jones, Love, Powell--10

Representatives present and not voting were: Thompson--1

A motion to reconsider was tabled.

House Bill No. 1070 -- Public Contracts - As introduced, prohibits a state agency, local agency, or law enforcement agency from purchasing, acquiring, or otherwise using a drone or other covered telecommunications equipment or service produced by a manufacturer banned under the federal National Defense Authorization Act of 2019. - Amends TCA Title 4; Title 12 and

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Title 39, Chapter 13. by *Carringer, *Jernigan, *Travis, *Towns, *Lynn, *Moody, *Howell, *Reedy, *Capley, *Cepicky, *Thompson. (*SB776 by *Stevens, *Haile, *Jackson, *Rose, *Taylor, *White)

Further consideration of House Bill No. 1070, previously considered on April 3, 2023, at which time it was reset for today’s Regular Calendar.

On motion, House Bill No. 1070 was made to conform with **Senate Bill No. 776**; the Senate Bill was substituted for the House Bill.

Rep. Carringer moved that Senate Bill No. 776 be passed on third and final consideration.

Rep. Keisling moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Carringer moved that **Senate Bill No. 776** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Lafferty, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--89

Representatives present and not voting were: Barrett, Johnson G, Jones--3

A motion to reconsider was tabled.

House Bill No. 706 -- Public Employees - As introduced, extends the authorization for a retired law enforcement officer to be reemployed without loss or suspension of retirement benefits to July 1, 2026; reduces the time that a law enforcement officer must be retired to be reemployed without loss or suspension of retirement benefits from nine months to two months. - Amends TCA Title 8, Chapter 36, Part 8. by *Doggett, *Russell, *Hardaway, *Whitson, *Barrett, *Eldridge, *Moody, *Todd, *Carr, *Miller. (*SB606 by *Jackson, *Crowe, *Yager)

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Further consideration of House Bill No. 706, previously considered on April 3, 2023, at which time it was reset for today's Regular Calendar.

Rep. Doggett moved that House Bill No. 706 be passed on third and final consideration.

Rep. Keisling moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 706 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 36, Part 8, is amended by adding the following new section:

(a) Within a one-year period, a retiree who is reemployed in a position covered by the Tennessee consolidated retirement system pursuant to this part must not:

(1) Switch from one (1) reemployment provision under this part to another; or

(2) Simultaneously be reemployed under more than one (1) reemployment provision under this part.

SECTION 2. Tennessee Code Annotated, Section 8-36-809, is amended by deleting the section and substituting:

(a) As used in this section, "law enforcement officer" means a police officer as defined in § 8-34-101, state police officer as defined in § 8-34-101, sheriff, or sheriff's deputy, whose primary responsibility is the prevention and detection of crime and apprehension of offenders.

(b) Notwithstanding a law to the contrary, a retired member of the Tennessee consolidated retirement system or a superseded system, or a local retirement fund established pursuant to chapter 35, part 3 of this title may be reemployed in a position covered by the retirement system as a law enforcement officer without the loss or suspension of the retired member's Tennessee consolidated retirement system benefits, provided that the following conditions are met:

(1) The retired member, as of the date of reemployment, must have successfully completed annual training required by title 38, chapter 8, part 1, and as required by the Tennessee peace officer standards and training commission;

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(2) The retired member is not reemployed until the expiration of at least sixty (60) calendar days from the member's effective date of retirement;

(3) During the reemployment, the retirement benefit payable to the retired member must be reduced to seventy percent (70%) of the retirement allowance the member would have otherwise been entitled to receive;

(4) The retired member's reemployment must not exceed one (1) year; provided, that the retired member may be reemployed for additional one-year periods if the conditions contained in this section are met for each period of reemployment;

(5) To fund the liability created by this section, the retired member's new employer shall pay to the Tennessee consolidated retirement system during each period of reemployment the greater of:

(A) A payment equal to the amount the employer would have contributed to the retirement system had the retired member been a member of the retirement system during the period of reemployment; or

(B) An amount equal to five percent (5%) of the retired member's pay rate;

(6) The retired member is not eligible to accrue additional retirement benefits as a result of the member's reemployment;

(7) Upon the reemployment of the retired member, the retired member's new employer shall:

(A) Notify the retirement system of the member's reemployment with any documents or information required by the retirement system; and

(B) Certify in writing to the retirement system that the retired member has the requisite experience and training for the position to be filled and that no other qualified persons are available to fill the position; and

(8) The retiree is not drawing disability retirement benefits under chapter 36, part 5 of this title.

(c) This section is repealed on June 30, 2025.

SECTION 3. Tennessee Code Annotated, Section 8-36-821, is amended by deleting subsection (b).

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it, and applies to reemployments occurring on or after such date.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Doggett moved that **House Bill No. 706**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lafferty, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--94

A motion to reconsider was tabled.

***House Bill No. 529** -- Teachers, Principals and School Personnel - As introduced, revises various provisions regarding the automatic revocation of educator licenses. - Amends TCA Title 49, Chapter 1 and Title 49, Chapter 5. by *Slater, *Cepicky, *Moody, *Todd. (SB744 by *White)

Further consideration of House Bill No. 529, previously considered on March 30, 2023, April 3, 2023, at which time it was reset for today’s Regular Calendar.

On motion, House Bill No. 529 was made to conform with **Senate Bill No. 744**; the Senate Bill was substituted for the House Bill.

Rep. Slater moved that Senate Bill No. 744 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 744 by deleting Section 5 and substituting:

SECTION 5. Tennessee Code Annotated, Section 49-5-417(a), is amended by adding the following as a new subdivision:

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(4) Receiving verification of the identity of the educator together with a certified copy of a court order, settlement agreement, or plea agreement in a criminal, civil, or administrative action requiring the educator to surrender the educator's Tennessee license. Unless otherwise stated in the court order, settlement agreement, or plea agreement, the educator's license must be revoked for a period of no less than five (5) years after which the educator may apply for restoration of the educator's license in accordance with state law and state board rules.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Slater moved that **Senate Bill No. 744**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--93

A motion to reconsider was tabled.

***House Bill No. 461** -- Adoption - As introduced, changes from 10 years or more to six years or more the time period for which a parent or guardian must have been confined in a correctional or detention facility by a court order as a result of a criminal act as a ground for termination of parental or guardianship rights; specifies that the court order confining the defendant may be the result of one or more criminal acts; removes requirement that the child be under eight years of age at the time the sentence is entered by the court. - Amends TCA Title 36 and Title 37. by *Slater, *Helton-Haynes, *Davis, *Littleton, *Stevens, *Butler. (SB537 by *Haile, *Lowe, *Reeves, *Rose)

Further consideration of House Bill No. 461, previously considered on March 30, 2023, April 3, 2023, at which time it was reset for today's Regular Calendar.

On motion, House Bill No. 461 was made to conform with **Senate Bill No. 537**; the Senate Bill was substituted for the House Bill.

Rep. Slater moved that Senate Bill No. 537 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Rep. Slater moved that **Senate Bill No. 537** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 77
Noes..... 15

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hakeem, Hale, Hardaway, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Keisling, Lafferty, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Miller, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--77

Representatives voting no were: Beck, Camper, Clemmons, Dixie, Freeman, Glynn, Harris, Hemmer, Hulsey, Johnson G, Love, McKenzie, Mitchell, Parkinson, Powell--15

A motion to reconsider was tabled.

***House Bill No. 459** -- Education - As introduced, clarifies that public charter schools and the state board of education are prohibited from employing individuals found by the department of children's services to have committed an act of child abuse in the same manner as other educational entities; clarifies that the state board is prohibited from granting, reactivating, or restoring an educator license or temporary teaching permit for such individuals; adds the state board and public charter schools to the list of educational entities to which the department is required to make certain disclosures when one of its employees is alleged to have committed an act of child abuse. - Amends TCA Title 49, Chapter 5. by *Slater, *Cepicky, *Moody, *Haston, *Howell. (SB743 by *White)

Further consideration of House Bill No. 459, previously considered on March 30, 2023, April 3, 2023, at which time it was reset for today's Regular Calendar.

On motion, House Bill No. 459 was made to conform with **Senate Bill No. 743**; the Senate Bill was substituted for the House Bill.

Rep. Slater moved that **Senate Bill No. 743** be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--93

A motion to reconsider was tabled.

***Senate Bill No. 93** -- Barbers and/or Cosmetologists - As introduced, creates an eyelash specialist license; authorizes the establishment of eyelash services shops in accordance with requirements for other licensed shops; authorizes schools to offer courses of instruction that consist of 50 percent of the hours needed for an eyelash specialist license to be obtained from apprenticeship; requires certain rule promulgation by the board of cosmetology and barber examiners. - Amends TCA Title 62, Chapter 3; Title 62, Chapter 4 and Title 62, Chapter 76. by *Lamar, *Akbari. (HB103 by *Parkinson)

Further consideration of Senate Bill No. 93, previously considered on March 30, 2023, April 3, 2023, at which time the House substituted the Senate Bill for the House Bill and reset it for today's Regular Calendar.

Rep. Parkinson moved that **Senate Bill No. 93** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 67
Noes..... 15
Present and not voting..... 7

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Burkhart, Campbell S, Camper, Carr, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Faison, Farmer, Freeman, Gillespie, Glynn, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Hulsey, Jernigan, Johnson C, Johnson G, Lamberth, Leatherwood, Love, Lynn, Marsh, Martin B, McCalmon, McKenzie, Miller, Mitchell, Moon, Parkinson, Powell, Rudd, Russell, Shaw, Slater, Sparks, Stevens, Thompson, Towns, Travis, Vaughan, Vital, Warner, Williams, Wright, Zachary, Mr. Speaker Sexton--67

Representatives voting no were: Bulso, Capley, Cepicky, Doggett, Fritts, Keisling, Littleton, Martin G, Moody, Powers, Raper, Reedy, Richey, Sherrell, Todd--15

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives present and not voting were: Butler, Carringer, Eldridge, Hurt, Ragan, Rudder, White--7

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **Senate Bill No. 93** and have this statement entered in the Journal: Rep. Carringer.

REGULAR CALENDAR, CONTINUED

House Bill No. 535 -- Criminal Offenses - As introduced, allows the surviving parent or guardian of a child whose parent was a victim of vehicular homicide to convert a restitution order for child maintenance payments to a civil judgment at any time rather than following conclusion of the defendant's sentence. - Amends TCA Title 39; Title 40 and Title 55. by *Cochran, *Lamberth, *Gant, *Littleton, *Howell, *Clemmons. (*SB442 by *Lowe, *Stevens, *Bowling, *Rose, *Taylor)

On motion, House Bill No. 535 was made to conform with **Senate Bill No. 442**; the Senate Bill was substituted for the House Bill.

Rep. Cochran moved that Senate Bill No. 442 be passed on third and final consideration.

Rep. Hulsey moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Cochran moved that **Senate Bill No. 442** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--91

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

A motion to reconsider was tabled.

***House Bill No. 296** -- Codes - As introduced, authorizes a person entering into employment as a municipal or county building, plumbing, mechanical, or electrical inspector with an exempt jurisdiction to perform field inspections as of the date of employment; requires such persons to obtain either a commercial or residential certification, or both, in their respective discipline within 12 months of the date of employment. - Amends TCA Title 68, Chapter 120, Part 1. by *Freeman, *Vaughan, *Burkhart, *Moon, *Grills, *Williams, *Powell, *Hicks T. (SB723 by *Yarbro)

Rep. Freeman moved that House Bill No. 296 be passed on third and final consideration.

Rep. Vaughan moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Vaughan moved adoption of Commerce Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 296 by deleting "may" and substituting "shall" in subsection (g) in SECTION 1.

On motion, Commerce Committee Amendment No. 2 was adopted.

Rep. Vaughan moved adoption of Commerce Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 296 by deleting SECTION 2 and substituting:

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 120, Part 1, is amended by adding the following as a new section:

(a)

(1) A local government may, by a majority vote of the appropriate local legislative body, adopt an ordinance or resolution allowing the local government to accept electrical inspections, whether residential or commercial, issued by engineers who comply with the following:

(A) For an engineer with a concentration in electrical trades, the engineer is registered in accordance with title 62, chapter 2; or

(B) For an engineer without a concentration in electrical trades, the engineer is registered in accordance with title 62, chapter 2, and certified by the International Code Council in the appropriate field.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(2) In addition to meeting the requirements of subdivision (a)(1)(A) or (B), an engineer shall register as an inspector with the state fire marshal in accordance with this section prior to conducting an inspection.

(3) A local government that votes to accept inspections pursuant to subdivision (a)(1) must comply with the requirements of this section.

(b) An inspection performed by an engineer pursuant to this section must be on a form approved by the state fire marshal or the local government.

(c) A local government, or the appropriate local governmental official or entity, shall review and approve an inspection performed by an engineer pursuant to this section, or provide written notice of any deficiencies, within five (5) business days from the date the inspection was received by the local government or appropriate local governmental official or entity.

(d)

(1) To register with the state fire marshal, an engineer licensed in accordance with title 62, chapter 2, shall submit a completed application, including such information as determined reasonably necessary by the state fire marshal, to the state fire marshal's office.

(2)

(A) The state fire marshal shall publish a list of engineers registered to conduct inspections in accordance with subdivision (d)(1).

(B) An individual registered pursuant to subdivision (d)(1) is responsible for ensuring that all information on file with the state fire marshal is current and correct, including the individual's contact information, proof of current registration under title 62, chapter 2, and current certification by the International Code Council in the appropriate field.

(e)

(1) The state fire marshal shall remove an individual from the list published pursuant to subdivision (d)(2) if the state fire marshal no longer has on file for the individual a current and valid:

(A) Certification from the International Code Council in the appropriate field; or

(B) Registration as an engineer in accordance with title 62, chapter 2.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(2) An individual removed from the list pursuant to subdivision (e)(1) may reapply to be registered and placed on the list again.

(f) The state fire marshal may remove a registrant from the list published pursuant to subdivision (d)(2), or refuse to place an applicant on the list, if the state fire marshal finds that the registrant or applicant has violated this section or a rule promulgated pursuant to this section.

(g) A local government shall not accept an inspection from an engineer who has a conflict of interest. A conflict of interest includes, but is not limited to:

(1) Employment or another affiliation with, or a financial interest in, the individual, firm, or corporation engaged in the construction project to be reviewed or inspected; or

(2) A relationship with a family member or individual involved in the construction project that could create the appearance of impropriety.

(h) A local government that accepts an inspection pursuant to this section shall maintain a record of an inspection performed by an engineer for no less than three (3) audit years. A local government shall maintain, at a minimum, the following records:

(1) The inspection report submitted by the engineer to the local government;

(2) The supporting documentation to the inspection report provided by the engineer to the local government;

(3) The documentation of approval of the inspection report by the local government; and

(4) Any correspondence between the local government and the engineer regarding the inspection and inspection report.

(i) The state fire marshal may promulgate rules to effectuate this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. SECTION 2 of this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2023, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 3 was adopted.

Rep. Freeman moved that **House Bill No. 296**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--
91

A motion to reconsider was tabled.

House Bill No. 786 -- Teachers, Principals and School Personnel - As introduced, creates a new pathway for honorably discharged veterans to receive an occupational teaching license. - Amends TCA Title 49, Chapter 5. by *Fritts, *Cepicky, *Wright, *Richey, *McCalmon, *Moody, *Butler, *Camper, *Powers, *Davis, *Bulso, *Reedy, *Howell, *Lynn, *Thompson, *Raper, *Capley, *Powell. (*SB724 by *Hensley)

Rep. Fritts moved that House Bill No. 786 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 786 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-5-106, is amended by deleting subsection (i) and substituting:

(i)

(1) After a director of schools or a director of a public charter school notifies the director's local board of education or the governing body of the director's public charter school, as applicable, that the LEA or public charter school is unable to secure a qualified occupational educator with a valid occupational teaching license for a course of study in which a vacancy exists, the director of schools or the director of the public charter school may certify the same to the commissioner of education.

(2) Upon the commissioner's receipt of the certification described in subdivision (i)(1), the commissioner may grant, on behalf of the state board of education, under conditions prescribed in the state board's rules, a temporary permit to teach in the unfilled position to a person

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

recommended by the director of schools or the director of the public charter school, who:

(A) Does not hold a bachelor's degree or an active industry license or credential, including those issued by another state, for the area of endorsement, as defined by the department of education, but who has a minimum of five (5) years of relevant work experience, completed within the last ten (10) years, or three (3) years of relevant work experience, completed within the last five (5) years, in the area of endorsement or equivalent educational attainment, as defined by the department of education; or

(B) Is an honorably discharged veteran of the armed forces, who has a minimum of five (5) years of relevant work experience, completed within the last ten (10) years, or three (3) years of relevant work experience, completed within the last five (5) years, in the area of endorsement or equivalent educational attainment, as defined by the department of education. As used in this subdivision (i)(2)(B), "work experience" includes, but is not limited to, military service, training, and experience.

(3) A temporary permit issued pursuant to this subsection (i) is valid only until June 30 immediately following the date of the permit's issuance and is not renewable. An individual may only be issued one (1) temporary permit under this subsection (i).

SECTION 2. This act takes effect July 1, 2023, at 12:01 a.m., the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Fritts moved that **House Bill No. 786**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***House Bill No. 830** -- Bail, Bail Bonds - As introduced, requires a defendant who has been arrested or held to answer for a Class A or Class B felony bailable offense to be admitted to bail only by a judge of the circuit or criminal court rather than by a judicial commissioner, or clerk of a circuit or criminal court. - Amends TCA Title 40. by *Gillespie, *Russell, *Howell, *Littleton, *Campbell S, *Davis, *Gant, *Lamberth, *Sherrell, *Leatherwood, *Moody. (SB932 by *Taylor)

Rep. Gillespie moved that House Bill No. 830 be passed on third and final consideration.

Rep. Hulsey moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 830 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 40-11-115, is amended by adding the following as a new subsection:

(d) Notwithstanding subsection (a), a person charged with any of the following offenses shall not be released on their own recognizance without the approval of a general sessions judge, criminal court judge, or circuit court judge having jurisdiction over the current charges:

- (1) A Class A felony;
- (2) A Class B felony;
- (3) Aggravated assault, as defined in § 39-13-102;
- (4) Aggravated assault against a first responder, as defined in § 39-13-116; or
- (5) Domestic assault, as defined in § 39-13-111, if the violation is a felony offense.

SECTION 2. Tennessee Code Annotated, Section 40-11-116, is amended by adding the following as a new subsection:

(c) A person charged with any of the following offenses shall not be released pursuant to subdivision (b)(1) without the approval of a general sessions judge, criminal court judge, or circuit court judge having jurisdiction over the current charges:

- (1) A Class A felony;
- (2) A Class B felony;

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

(3) Aggravated assault, as defined in § 39-13-102;

(4) Aggravated assault against a first responder, as defined in § 39-13-116; or

(5) Domestic assault, as defined in § 39-13-111, if the violation is a felony offense.

SECTION 3. Tennessee Code Annotated, Section 40-11-148, is amended by deleting subsection (a) and substituting:

(a) If a defendant has been released pursuant to § 40-11-115 or § 40-11-116, or has been admitted to and released on bail for a criminal offense, whether prior to or during trial or pending appeal, and the defendant is charged with the commission of one (1) or more bailable offenses while released, then the defendant shall only be released pursuant to § 40-11-118 or § 40-11-122, and the magistrate or judge shall set the defendant's bail on each new offense in an amount not less than twice that which is customarily set for the offense charged.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Gant moved the previous question, which motion prevailed.

Rep. Gillespie moved that **House Bill No. 830**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes.....	20
Present and not voting.....	3

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Burkhart, Butler, Campbell S, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Hale, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Todd, Travis, Vaughan, Vital, Warner, White, Wright, Zachary, Mr. Speaker Sexton--69

Representatives voting no were: Barrett, Camper, Chism, Clemmons, Dixie, Doggett, Grills, Hakeem, Hardaway, Harris, Hemmer, Johnson G, Keisling, Love, Miller, Mitchell, Parkinson, Thompson, Towns, Williams--20

Representatives present and not voting were: Bulso, Capley, Haston--3

A motion to reconsider was tabled.

House Bill No. 1181 -- Consumer Protection - As introduced, enacts the "Tennessee Information Protection Act." - Amends TCA Title 4; Title 12; Title 43; Title 45; Title 47; Title 48;

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Title 50; Title 61; Title 66 and Title 67. by *Garrett, *Zachary, *Towns, *Haston, *Howell, *Moody, *Williams, *Hicks T, *Todd, *Clemmons. (*SB73 by *Watson, *Stevens)

Rep. Garrett moved that House Bill No. 1181 be passed on third and final consideration.

Rep. Vaughan moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1181 by deleting all language after the enacting clause and substituting:

SECTION 1. This act is known and may be cited as the "Tennessee Information Protection Act."

SECTION 2. Tennessee Code Annotated, Title 47, Chapter 18, is amended by adding the following as a new part:

47-18-3201. Part definitions.

As used in this part:

(1) "Affiliate" means a legal entity that controls, is controlled by, or is under common control with another legal entity or shares common branding with another legal entity. As used in this subdivision (1), "control" or "controlled" means:

(A) Ownership of, or the power to vote, more than fifty percent (50%) of the outstanding shares of a class of voting security of a company;

(B) Control in any manner over the election of a majority of the directors or of individuals exercising similar functions; or

(C) The power to exercise controlling influence over the management of a company;

(2) "Authenticate" means to verify using reasonable means that a consumer who is entitled to exercise the rights in § 47-18-3203, is the same consumer who is exercising those consumer rights with respect to the personal information at issue;

(3) "Biometric data":

(A) Means data generated by automatic measurement of an individual's biological characteristics, such as a fingerprint, voiceprint, eye retina or iris, or other unique biological patterns or characteristics that are used to identify a specific individual; and

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(B) Does not include a physical or digital photograph, video recording, or audio recording or data generated from a photograph or video or audio recording; or information collected, used, or stored for healthcare treatment, payment, or operations under HIPAA;

(4) "Business associate" has the same meaning as defined by HIPAA;

(5) "Child" means a natural person younger than thirteen (13) years of age;

(6) "Consent":

(A) Means a clear affirmative act signifying a consumer's freely given, specific, informed, and unambiguous agreement to process personal information relating to the consumer; and

(B) May include a written statement, including a statement written by electronic means, or an unambiguous affirmative action;

(7) "Consumer":

(A) Means a natural person who is a resident of this state acting only in a personal context; and

(B) Does not include a natural person acting in a commercial or employment context;

(8) "Controller" means the natural or legal person that, alone or jointly with others, determines the purpose and means of processing personal information;

(9) "Covered entity" has the same meaning as defined by HIPAA;

(10) "Decisions that produce legal or similarly significant effects concerning the consumer" means decisions made by the controller that result in the provision or denial by the controller of financial or lending services, housing, insurance, education enrollment or opportunity, criminal justice, employment opportunities, healthcare services, or access to basic necessities, such as food and water;

(11) "De-identified data" means data that cannot reasonably be linked to an identified or identifiable natural person, or a device linked to that individual;

(12) "Health record":

(A) Means a written, printed, or electronically recorded material that:

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(i) Was created or is maintained by a healthcare entity described in or licensed under title 68 in the course of providing healthcare services to an individual; and

(ii) Concerns the individual and the services provided; and

(B) Includes the substance of a communication made by an individual to a healthcare entity described in or licensed under title 68 in confidence during or in connection with the provision of healthcare services or information otherwise acquired by the healthcare entity about an individual in confidence and in connection with the provision of healthcare services to the individual;

(13) "HIPAA" means the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.);

(14) "Identified or identifiable natural person," "natural person," and "individual" mean a human being who can be readily identified, whether directly or indirectly;

(15) "Institution of higher education" means a public or private institution of higher education;

(16) "Nonprofit organization" means:

(A) A corporation organized under the Tennessee Nonprofit Corporation Act, compiled in title 48, chapter 51;

(B) An organization exempt from taxation under the Internal Revenue Code, codified in 26 U.S.C. §§ 501-530;

(C) A public utility organized under the laws of this state; or

(D) An entity owned or controlled by a nonprofit organization;

(17) "Personal information":

(A) Means information that is linked or reasonably linkable to an identified or identifiable natural person; and

(B) Does not include information that is:

(i) Publicly available information; or

(ii) De-identified or aggregate consumer information;

(18) "Precise geolocation data":

(A) Means information derived from technology, including, but not limited to, global positioning system level latitude and longitude coordinates or other mechanisms, that directly identifies the specific location of a natural person with precision and accuracy within a radius of one thousand seven hundred fifty feet (1,750'); and

(B) Does not include:

(i) The content of communications; or

(ii) Data generated by or connected to advanced utility metering infrastructure systems or equipment for use by a utility;

(19) "Process" or "processing" means an operation or set of operations performed, whether by manual or automated means, on personal information or on sets of personal information, such as the collection, use, storage, disclosure, analysis, deletion, or modification of personal information;

(20) "Processor" means a natural or legal entity that processes personal information on behalf of a controller;

(21) "Profiling" means a form of solely automated processing performed on personal information to evaluate, analyze, or predict personal aspects related to an identified or identifiable natural person's economic situation, health, personal preferences, interests, reliability, behavior, location, or movements;

(22) "Protected health information" has the same meaning as defined by HIPAA;

(23) "Pseudonymous data" means personal information that cannot be attributed to a specific natural person without the use of additional information, so long as the additional information is kept separately and is subject to appropriate technical and organizational measures to ensure that the personal information is not attributed to an identified or identifiable natural person;

(24) "Publicly available information" means information that is lawfully made available through federal, state, or local government records, or information that a business has a reasonable basis to believe is lawfully made available to the general public through widely distributed media, by

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

the consumer, or by a person to whom the consumer has disclosed the information, unless the consumer has restricted the information to a specific audience;

(25) "Sale of personal information":

(A) Means the exchange of personal information for valuable monetary consideration by the controller to a third party; and

(B) Does not include:

(i) The disclosure of personal information to a processor that processes the personal information on behalf of the controller;

(ii) The disclosure of personal information to a third party for purposes of providing a product or service requested by the consumer;

(iii) The disclosure or transfer of personal information to an affiliate of the controller;

(iv) The disclosure of information that the consumer:

(a) Intentionally made available to the general public via a channel of mass media; and

(b) Did not restrict to a specific audience; or

(v) The disclosure or transfer of personal information to a third party as an asset that is part of a merger, acquisition, bankruptcy, or other transaction in which the third party assumes control of all or part of the controller's assets;

(26) "Sensitive data" means a category of personal information that includes:

(A) Personal information revealing racial or ethnic origin, religious beliefs, mental or physical health diagnosis, sexual orientation, or citizenship or immigration status;

(B) The processing of genetic or biometric data for the purpose of uniquely identifying a natural person;

(C) The personal information collected from a known child;
or

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(D) Precise geolocation data;

(27) "State agency" means an agency, institution, board, bureau, commission, council, or instrumentality of state government in the executive branch;

(28) "Targeted advertising":

(A) Means displaying to a consumer an advertisement that is selected based on personal information obtained from that consumer's activities over time and across nonaffiliated websites or online applications to predict the consumer's preferences or interests; and

(B) Does not include:

(i) Advertisements based on activities within a controller's own websites or online applications;

(ii) Advertisements based on the context of a consumer's current search query, visit to a website, or online application;

(iii) Advertisements directed to a consumer in response to the consumer's request for information or feedback; or

(iv) Personal information processed solely for measuring or reporting advertising performance, reach, or frequency;

(29) "Third party" means a natural or legal person, public authority, agency, or body other than the consumer, controller, processor, or an affiliate of the processor or the controller; and

(30) "Trade secret" means information, without regard to form, including, but not limited to, technical, nontechnical, or financial data, a formula, pattern, compilation, program, device, method, technique, plan, or process, that:

(A) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from the information's disclosure or use; and

(B) Is the subject of efforts that are reasonable under the circumstances to maintain the information's secrecy.

47-18-3202. Scope.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

This part applies to persons that conduct business in this state producing products or services that target residents of this state and that:

(1) Exceed twenty-five million dollars (\$25,000,000) in revenue;
and

(2)

(A) Control or process personal information of at least twenty-five thousand (25,000) consumers and derive more than fifty percent (50%) of gross revenue from the sale of personal information; or

(B) During a calendar year, control or process personal information of at least one hundred seventy-five thousand (175,000) consumers.

47-18-3203. Personal information rights – Consumers.

(a)

(1) A consumer may invoke the consumer rights authorized pursuant to subdivision (a)(2) at any time by submitting a request to a controller specifying the consumer rights the consumer wishes to invoke. A known child's parent or legal guardian may invoke the consumer rights authorized pursuant to subdivision (a)(2) on behalf of the child regarding processing personal information belonging to the known child.

(2) A controller shall comply with an authenticated consumer request to exercise the right to:

(A) Confirm whether a controller is processing the consumer's personal information and to access the personal information;

(B) Correct inaccuracies in the consumer's personal information, taking into account the nature of the personal information and the purposes of the processing of the consumer's personal information;

(C) Delete personal information provided by or obtained about the consumer. A controller is not required to delete information that it maintains or uses as aggregate or de-identified data; provided, that such data in the possession of the controller is not linked to a specific consumer. A controller that obtained personal information about a consumer from a source other than the consumer is in compliance with a consumer's request to delete such personal information by:

(i)

(a) Retaining a record of the deletion request and the minimum information necessary for the purpose of ensuring that the consumer's personal information remains deleted from the controller's records; and

(b) Not using such retained personal information for any purpose prohibited under this part; or

(ii) Opting the consumer out of the processing of such personal data for any purpose except for those exempted under this part;

(D) Obtain a copy of the consumer's personal information that the consumer previously provided to the controller in a portable and, to the extent technically feasible, readily usable format that allows the consumer to transmit the data to another controller without hindrance, where the processing is carried out by automated means; or

(E) Opt out of a controller's processing of personal information for purposes of:

(i) Selling personal information about the consumer;

(ii) Targeted advertising; or

(iii) Profiling in furtherance of decisions that produce legal or similarly significant effects concerning the consumer.

(b) Except as otherwise provided in this part, a controller shall comply with an authenticated request by a consumer to exercise the consumer rights authorized pursuant to subdivision (a)(2) as follows:

(1) A controller shall respond to the consumer without undue delay, but in all cases within forty-five (45) days of receipt of a request submitted pursuant to subsection (a). The response period may be extended once by forty-five (45) additional days when reasonably necessary, taking into account the complexity and number of the consumer's requests, so long as the controller informs the consumer of the extension within the initial forty-five-day response period, together with the reason for the extension;

(2) If a controller declines to take action regarding the consumer's request, then the controller shall inform the consumer without undue delay,

but in all cases and at the latest within forty-five (45) days of receipt of the request, of the justification for declining to take action and instructions for how to appeal the decision pursuant to subsection (c);

(3) Information provided in response to a consumer request must be provided by a controller free of charge, up to twice annually per consumer. If requests from a consumer are manifestly unfounded, technically infeasible, excessive, or repetitive, then the controller may charge the consumer a reasonable fee to cover the administrative costs of complying with the request or decline to act on the request. The controller bears the burden of demonstrating the manifestly unfounded, technically infeasible, excessive, or repetitive nature of the request; and

(4) If a controller is unable to authenticate the request using commercially reasonable efforts, then the controller is not required to comply with a request to initiate an action under subsection (a) and may request that the consumer provide additional information reasonably necessary to authenticate the consumer and the consumer's request.

(c) A controller shall establish a process for a consumer to appeal the controller's refusal to take action on a request within a reasonable period of time after the consumer's receipt of the decision pursuant to subdivision (b)(2). The appeal process must be made available to the consumer in a conspicuous manner, must be available at no cost to the consumer, and must be similar to the process for submitting requests to initiate action pursuant to subsection (a). Within sixty (60) days of receipt of an appeal, a controller shall inform the consumer in writing of action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions. If the appeal is denied, then the controller shall also provide the consumer with an online mechanism, if available, or other method through which the consumer may contact the attorney general and reporter to submit a complaint.

47-18-3204. Data controller responsibilities – Transparency.

(a) A controller shall:

(1) Limit the collection of personal information to what is adequate, relevant, and reasonably necessary in relation to the purposes for which the data is processed, as disclosed to the consumer;

(2) Except as otherwise provided in this part, not process personal information for purposes that are beyond what is reasonably necessary to and compatible with the disclosed purposes for which the personal information is processed, as disclosed to the consumer, unless the controller obtains the consumer's consent;

(3) Establish, implement, and maintain reasonable administrative, technical, and physical data security practices, as described in § 47-18-3213, to protect the confidentiality, integrity, and accessibility of personal

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

information. The data security practices must be appropriate to the volume and nature of the personal information at issue;

(4) Not be required to delete information that it maintains or uses as aggregate or de-identified data, provided that such data in the possession of the business is not linked to a specific consumer;

(5) Not process personal information in violation of state and federal laws that prohibit unlawful discrimination against consumers. A controller shall not discriminate against a consumer for exercising the consumer rights contained in this part, including denying goods or services, charging different prices or rates for goods or services, or providing a different level of quality of goods and services to the consumer. However, this subdivision (a)(5) does not require a controller to provide a product or service that requires the personal information of a consumer that the controller does not collect or maintain, or prohibit a controller from offering a different price, rate, level, quality, or selection of goods or services to a consumer, including offering goods or services for no fee, if the consumer has exercised the right to opt out pursuant to § 47-18-3203(a)(2)(F) or the offer is related to a consumer's voluntary participation in a bona fide loyalty, rewards, premium features, discounts, or club card program; and

(6) Not process sensitive data concerning a consumer without obtaining the consumer's consent, or, in the case of the processing of sensitive data concerning a known child, without processing the data in accordance with the federal Children's Online Privacy Protection Act (15 U.S.C. § 6501 et seq.) and its implementing regulations.

(b) A provision of a contract or agreement that purports to waive or limit the consumer rights described in § 47-18-3203 is contrary to public policy and is void and unenforceable.

(c) A controller shall provide a reasonably accessible, clear, and meaningful privacy notice that includes:

(1) The categories of personal information processed by the controller;

(2) The purpose for processing personal information;

(3) How consumers may exercise their consumer rights pursuant to § 47-18-3203, including how a consumer may appeal a controller's decision with regard to the consumer's request;

(4) The categories of personal information that the controller sells to third parties, if any; and

(5) The categories of third parties, if any, to whom the controller sells personal information.

(d) If a controller sells personal information to third parties or processes personal information for targeted advertising, then the controller shall clearly and conspicuously disclose the processing, as well as the manner in which a consumer may exercise the right to opt out of the processing.

(e)

(1) A controller shall provide, and shall describe in a privacy notice, one (1) or more secure and reliable means for a consumer to submit a request to exercise the consumer rights in § 47-18-3203. Such means must take into account the:

(A) Ways in which a consumer normally interacts with the controller;

(B) Need for secure and reliable communication of such requests; and

(C) Ability of a controller to authenticate the identity of the consumer making the request.

(2) A controller shall not require a consumer to create a new account in order to exercise consumer rights in § 47-18-3203, but may require a consumer to use an existing account.

47-18-3205. Responsibility according to role – Controller and processor.

(a) A processor shall adhere to the instructions of a controller and shall assist the controller in meeting its obligations under this part. The assistance must include:

(1) Taking into account the nature of processing and the information available to the processor, by appropriate technical and organizational measures, insofar as this is reasonably practicable, to fulfill the controller's obligation to respond to consumer rights requests pursuant to § 47-18-3203; and

(2) Providing necessary information to enable the controller to conduct and document data protection assessments pursuant to § 47-18-3206.

(b) A contract between a controller and a processor governs the processor's data processing procedures with respect to processing performed on behalf of the controller. The contract is binding and must clearly set forth instructions for processing data, the nature and purpose of processing, the type of data subject to processing, the duration of processing, and the rights and obligations of both parties. The contract must also include requirements that the processor shall:

(1) Ensure that each person processing personal information is subject to a duty of confidentiality with respect to the data;

(2) At the controller's direction, delete or return all personal information to the controller as requested at the end of the provision of services, unless retention of the personal information is required by law;

(3) Upon the reasonable request of the controller, make available to the controller all information in its possession necessary to demonstrate the processor's compliance with the obligations in this part;

(4) Allow, and cooperate with, reasonable assessments by the controller or the controller's designated assessor; alternatively, the processor may arrange for a qualified and independent assessor to conduct an assessment of the processor's policies and technical and organizational measures in support of the obligations under this part using an appropriate and accepted control standard or framework and assessment procedure for the assessments. The processor shall provide a report of each assessment to the controller upon request; and

(5) Engage a subcontractor pursuant to a written contract in that requires the subcontractor to meet the obligations of the processor with respect to the personal information.

(c) This section does not relieve a controller or a processor from the liabilities imposed on it by virtue of its role in the processing relationship as described in subsection (b).

(d) Determining whether a person is acting as a controller or processor with respect to a specific processing of data is a fact-based determination that depends upon the context in which personal information is to be processed. A processor that continues to adhere to a controller's instructions with respect to a specific processing of personal information remains a processor.

47-18-3206. Data protection assessments.

(a) A controller shall conduct and document a data protection assessment of each of the following processing activities involving personal information:

(1) The processing of personal information for purposes of targeted advertising;

(2) The sale of personal information;

(3) The processing of personal information for purposes of profiling, where the profiling presents a reasonably foreseeable risk of:

(A) Unfair or deceptive treatment of, or unlawful disparate impact on, consumers;

(B) Financial, physical, or reputational injury to consumers;

(C) A physical or other intrusion upon the solitude or seclusion, or the private affairs or concerns, of consumers, where the intrusion would be offensive to a reasonable person; or

(D) Other substantial injury to consumers;

(4) The processing of sensitive data; and

(5) Processing activities involving personal information that present a heightened risk of harm to consumers.

(b) Data protection assessments conducted pursuant to subsection (a) must identify and weigh the benefits that may flow, directly and indirectly, from the processing to the controller, the consumer, other stakeholders, and the public against the potential risks to the rights of the consumer associated with the processing, as mitigated by safeguards that can be employed by the controller to reduce the risks. The use of de-identified data and the reasonable expectations of consumers, as well as the context of the processing and the relationship between the controller and the consumer whose personal information will be processed, must be factored into this assessment by the controller.

(c) The attorney general and reporter may request pursuant to a civil investigative demand that a controller disclose a data protection assessment that is relevant to an investigation conducted by the attorney general and reporter, and the controller shall make the data protection assessment available to the attorney general and reporter. The attorney general and reporter may evaluate the data protection assessment for compliance with the responsibilities set forth in § 47-18-3204. Data protection assessments are confidential and not open to public inspection and copying. The disclosure of a data protection assessment pursuant to a request from the attorney general and reporter does not constitute a waiver of attorney-client privilege or work product protection with respect to the assessment and information contained in the assessment.

(d) A single data protection assessment may address a comparable set of processing operations that include similar activities.

(e) Data protection assessments conducted by a controller for the purpose of compliance with other laws, rules, or regulations may comply with this section if the assessments have a reasonably comparable scope and effect.

(f) Data protection assessment requirements apply to processing activities created or generated on or after July 1, 2024, and are not retroactive.

47-18-3207. Processing de-identified data – Exemptions.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(a) The controller in possession of de-identified data shall:

(1) Take reasonable measures to ensure that the data cannot be associated with a natural person;

(2) Publicly commit to maintaining and using de-identified data without attempting to reidentify the data; and

(3) Contractually obligate recipients of the de-identified data to comply with this part.

(b) This section does not require a controller or processor to:

(1) Reidentify de-identified data or pseudonymous data;

(2) Maintain data in identifiable form, or collect, obtain, retain, or access data or technology, in order to be capable of associating an authenticated consumer request with personal information; or

(3) Comply with an authenticated consumer rights request, pursuant to § 47-18-3203, if:

(A) The controller is not reasonably capable of associating the request with the personal information or it would be unreasonably burdensome for the controller to associate the request with the personal information;

(B) The controller does not use the personal information to recognize or respond to the specific consumer who is the subject of the personal information, or associate the personal information with other personal information about the same specific consumer; and

(C) The controller does not sell the personal information to a third party or otherwise voluntarily disclose the personal information to a third party other than a processor, except as otherwise permitted in this section.

(c) The consumer rights contained in §§ 47-18-3203 and 47-18-3204 do not apply to pseudonymous data in cases where the controller is able to demonstrate information necessary to identify the consumer is kept separately and is subject to effective technical and organizational controls that prevent the controller from accessing that information.

(d) A controller that discloses pseudonymous data or de-identified data shall exercise reasonable oversight to monitor compliance with contractual commitments to which the pseudonymous data or de-identified data is subject and shall take appropriate steps to address breaches of those contractual commitments.

47-18-3208. Limitations.

(a) This part does not restrict a controller's or processor's ability to:

(1) Comply with federal, state, or local laws, rules, or regulations;

(2) Comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, local, or other governmental authorities;

(3) Cooperate with law enforcement agencies concerning conduct or activity that the controller or processor reasonably and in good faith believes may violate federal, state, or local laws, rules, or regulations;

(4) Investigate, establish, exercise, prepare for, or defend legal claims;

(5) Provide a product or service specifically requested by a consumer or the parent or legal guardian of a known child, perform a contract to which the consumer is a party, including fulfilling the terms of a written warranty, or take steps at the request of the consumer prior to entering into a contract;

(6) Take immediate steps to protect an interest that is essential for the life or physical safety of the consumer or of another natural person, and where the processing cannot be manifestly based on another legal basis;

(7) Prevent, detect, protect against, or respond to security incidents, identity theft, fraud, harassment, malicious or deceptive activity, or illegal activity; preserve the integrity or security of systems; or investigate, report, or prosecute those responsible for such action;

(8) Engage in public- or peer-reviewed scientific or statistical research in the public interest that adheres to all other applicable ethics and privacy laws and is approved, monitored, and governed by an institutional review board, or similar independent oversight entity that determines whether:

(A) Deletion of the information is likely to provide substantial benefits that do not exclusively accrue to the controller;

(B) The expected benefits of the research outweigh the privacy risks; and

(C) The controller has implemented reasonable safeguards to mitigate privacy risks associated with research, including risks associated with reidentification; or

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(9) Assist another controller, processor, or third party with the obligations under this part.

(b) The obligations imposed on controllers or processors under this part do not restrict a controller's or processor's ability to collect, use, or retain data to:

(1) Conduct internal research to develop, improve, or repair products, services, or technology;

(2) Effectuate a product recall;

(3) Identify and repair technical errors that impair existing or intended functionality; or

(4) Perform internal operations that are reasonably aligned with the expectations of the consumer or reasonably anticipated based on the consumer's existing relationship with the controller or are otherwise compatible with processing data in furtherance of the provision of a product or service specifically requested by a consumer or the performance of a contract to which the consumer is a party.

(c) The obligations imposed on controllers or processors under this part do not apply where compliance by the controller or processor with this part would violate an evidentiary privilege under the laws of this state. This part does not prevent a controller or processor from providing personal information concerning a consumer to a person covered by an evidentiary privilege under the laws of this state as part of a privileged communication.

(d)

(1) A controller or processor that discloses personal information to a third-party controller or processor, in compliance with the requirements of this part, is not in violation of this part if:

(A) The third-party controller or processor that receives and processes the personal information is in violation of this part; and

(B) At the time of disclosing the personal information, the disclosing controller or processor did not have actual knowledge that the recipient intended to commit a violation.

(2) A third-party controller or processor receiving personal information from a controller or processor in compliance with the requirements of this part is likewise not in violation of this part for the violations of the controller or processor from which it receives such personal information.

(e) This part does not impose an obligation on controllers and processors that adversely affects the rights or freedoms of a person, such as exercising the

right of free speech pursuant to the First Amendment to the United States Constitution, or applies to the processing of personal information by a person in the course of a purely personal activity.

(f) A controller shall not process personal information for purposes other than those expressly listed in this section unless otherwise allowed by this part. Personal information processed by a controller pursuant to this section may be processed to the extent that the processing is:

(1) Reasonably necessary and proportionate to the purposes listed in this section; and

(2) Adequate, relevant, and limited to what is necessary in relation to the specific purposes listed in this section. Personal information collected, used, or retained pursuant to subsection (b) shall, where applicable, take into account the nature and purpose or purposes of the collection, use, or retention. The data is subject to reasonable administrative, technical, and physical measures to protect the confidentiality, integrity, and accessibility of the personal information and to reduce reasonably foreseeable risks of harm to consumers relating to the collection, use, or retention of personal information.

(g) If a controller processes personal information pursuant to an exemption in this section, then the controller bears the burden of demonstrating that the processing qualifies for the exemption and complies with subsection (f).

(h) Processing personal information for the purposes expressly identified in subdivisions (a)(1)-(9) does not solely make an entity a controller with respect to the processing.

47-18-3209. Investigative authority.

If the attorney general and reporter has reasonable cause to believe that an individual, controller, or processor has engaged in, is engaging in, or is about to engage in a violation of this part, then the attorney general and reporter may issue a civil investigative demand.

47-18-3210. Exemptions.

(a) This part does not apply to:

(1) A body, authority, board, bureau, commission, district, or agency of this state or of a political subdivision of this state;

(2) A financial institution, an affiliate of a financial institution, or data subject to Title V of the federal Gramm-Leach-Bliley Act (15 U.S.C. § 6801 et seq.);

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(3) An individual, firm, association, corporation, or other entity that is licensed in this state under title 56 as an insurance company and transacts insurance business;

(4) A covered entity or business associate governed by the privacy, security, and breach notification rules issued by the United States department of health and human services, 45 CFR Parts 160 and 164 established pursuant to HIPAA, and the federal Health Information Technology for Economic and Clinical Health Act (P.L. 111-5);

(5) A nonprofit organization;

(6) An institution of higher education;

(7) Protected health information under HIPAA;

(8) Health records for purposes of title 68;

(9) Patient identifying information for purposes of 42 U.S.C. § 290dd-2;

(10) Personal information:

(A) Processed for purposes of:

(i) Research conducted in accordance with the federal policy for the protection of human subjects under 45 CFR Part 46;

(ii) Human subjects research conducted in accordance with good clinical practice guidelines issued by The International Council for Harmonization of Technical Requirements for Pharmaceuticals for Human Use; or

(iii) Research conducted in accordance with the protection of human subjects under 21 CFR Parts 6, 50, and 56; or

(B) Processed or sold in connection with research conducted in accordance with the requirements set forth in this part, or other research conducted in accordance with applicable law;

(11) Information and documents created for purposes of the federal Health Care Quality Improvement Act of 1986 (42 U.S.C. § 11101 et seq.);

(12) Patient safety work product for purposes of the federal Patient Safety and Quality Improvement Act (42 U.S.C. § 299b-21 et seq.);

(13) Information that is:

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(A) Derived from the healthcare-related information listed in this subsection (a) that is de-identified in accordance with the requirements for de-identification pursuant to HIPAA; or

(B) Included in a limited data set as described in 45 CFR 164.514(e), to the extent that the information is used, disclosed, and maintained in the manner specified in 45 CFR 164.514(e);

(14) Information originating from, and intermingled to be indistinguishable with, or information treated in the same manner as, information exempt under this subsection (a) that is maintained by a covered entity or business associate as defined by HIPAA or a program or a qualified service organization as defined by 42 U.S.C. § 290dd-2;

(15) Information used only for public health activities and purposes as authorized by HIPAA;

(16) The collection, maintenance, disclosure, sale, communication, or use of personal information bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living by a consumer reporting agency or furnisher that provides information for use in a consumer report, and by a user of a consumer report, but only to the extent that such activity is regulated by and authorized under the federal Fair Credit Reporting Act (15 U.S.C. § 1681 et seq.);

(17) Personal information collected, processed, sold, or disclosed in compliance with the federal Driver's Privacy Protection Act of 1994 (18 U.S.C. § 2721 et seq.);

(18) Personal information or educational information regulated by the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g et seq.);

(19) Personal information collected, processed, sold, or disclosed in compliance with the federal Farm Credit Act (12 U.S.C. § 2001 et seq.);

(20) Data processed or maintained:

(A) In the course of an individual applying to, being employed by, or acting as an agent or independent contractor of a controller, processor, or third party, to the extent that the data is collected and used within the context of that role;

(B) As the emergency contact information of an individual under this part used for emergency contact purposes; or

(C) That is necessary to retain to administer benefits for another individual relating to the individual under subdivision (a)(20)(A) and used for the purposes of administering those benefits;

(21) Information collected as part of public- or peer-reviewed scientific or statistical research in the public interest;

(22) An insurance producer licensed under title 56; or

(23) Personal information maintained or used for purposes of compliance with the regulation of listed chemicals under the federal Controlled Substances Act (21 U.S.C. § 830).

(b) Controllers and processors that comply with the verifiable parental consent requirements of the federal Children's Online Privacy Protection Act (15 U.S.C. § 6501 et seq.) are deemed compliant with an obligation to obtain parental consent under this part.

(c) This part does not require a controller, processor, third party, or consumer to disclose trade secrets.

47-18-3211. Contracts.

(a) A provision of a contract or agreement that waives or limits a consumer's rights under this part, including, but not limited to, a right to a remedy or means of enforcement, is contrary to public policy, void, and unenforceable.

(b) This part does not prevent a consumer from declining to request information from a controller, declining to opt out of a controller's sale of the consumer's personal information, or authorizing a controller to sell the consumer's personal information after previously opting out.

(c) This part applies to contracts entered into, amended, or renewed on or after the effective date of this act.

47-18-3212. Enforcement – Civil penalty – Expenses.

(a) The attorney general and reporter has exclusive authority to enforce this part.

(b) The attorney general and reporter may develop reasonable cause to believe that a controller or processor is in violation of this part, based on the attorney general and reporter's own inquiry or on consumer or public complaints. Prior to initiating an action under this part, the attorney general and reporter shall provide a controller or processor sixty-days' written notice identifying the specific provisions of this part the attorney general and reporter alleges have been or are being violated. If within the sixty-day period, the controller or processor cures the noticed violation and provides the attorney general and reporter an express written

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

statement that the alleged violations have been cured and that no such further violations shall occur, then the attorney general and reporter shall not initiate an action against the controller or processor.

(c) If a controller or processor continues to violate this part following the cure period in subsection (b) or breaches an express written statement provided to the attorney general and reporter under subsection (b), then the attorney general and reporter may bring an action in a court of competent jurisdiction seeking any of the following relief:

(1) Declaratory judgment that the act or practice violates this chapter;

(2) Injunctive relief, including preliminary and permanent injunctions, to prevent an additional violation of and compel compliance with this part;

(3) Civil penalties, as described in subsection (d);

(4) Reasonable attorney's fees and investigative costs; or

(5) Other relief the court determines appropriate.

(d)

(1) A court may impose a civil penalty of up to seven thousand five hundred dollars (\$7,500) for each violation of this part.

(2) If the court finds the controller or processor willfully or knowingly violated this part, then the court may, in its discretion, award treble damages.

(e) A violation of this part shall not serve as the basis for, or be subject to, a private right of action, including a class action lawsuit, under this part or other law.

(f) The attorney general and reporter may recover reasonable expenses incurred in investigating and preparing a case, including attorney fees, in an action initiated under this part.

47-18-3213. Affirmative defense – Voluntary privacy program.

(a) A controller or processor has an affirmative defense to a cause of action for a violation of this part if the controller or processor creates, maintains, and complies with a written privacy policy that:

(1)

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(A) Reasonably conforms to the National Institute of Standards and Technology (NIST) privacy framework entitled "A Tool for Improving Privacy through Enterprise Risk Management Version 1.0." or other documented policies, standards, and procedures designed to safeguard consumer privacy; and

(B) Is updated to reasonably conform with a subsequent revision to the NIST or comparable privacy framework within two (2) years of the publication date stated in the most recent revision to the NIST or comparable privacy framework; and

(2) Provides a person with the substantive rights required by this part.

(b) The scale and scope of a controller or processor's privacy program under subsection (a) is appropriate if it is based on all of the following factors:

(1) The size and complexity of the controller or processor's business;

(2) The nature and scope of the activities of the controller or processor;

(3) The sensitivity of the personal information processed;

(4) The cost and availability of tools to improve privacy protections and data governance; and

(5) Compliance with a comparable state or federal law.

(c)

(1) In addition to subsections (a) and (b):

(A) A controller may be certified pursuant to the Asia Pacific Economic Cooperation's Cross Border Privacy Rules system; and

(B) A processor may be certified pursuant to the Asia Pacific Economic Cooperation's Privacy Recognition for Processors system.

(2) Certifications under subdivision (c)(1) may be considered in addition to the factors in subsection (b).

SECTION 3. If a provision of this act or its application to a person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

SECTION 4. This act supersedes and preempts any conflicting provisions of any public or private act and laws, ordinances, resolutions, regulations, or the equivalent adopted by a home rule municipality, county, including a metropolitan government, or city regarding the processing of personal data by controllers or processors. To the extent there exists a conflict, this section does not require the home rule municipality, county, or city to adopt any law, ordinance, resolution, regulation, or the equivalent to modify or repeal such conflicting provisions enacted prior to the effective date of this act.

SECTION 5. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 6. This act takes effect July 1, 2025, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Garrett moved that **House Bill No. 1181**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson G, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--90

A motion to reconsider was tabled.

***House Bill No. 1569** -- Obion County - Subject to local approval, repeals the Obion County Highway Commission in 2026. - Amends Chapter 202 of the Private Acts of 1984; as amended. by *Grills, *Hurt. (SB1558 by *Stevens)

Rep. Grills moved that House Bill No. 1569 be passed on third and final consideration.

Rep. Crawford moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

AMEND House Bill No. 1569 by deleting all language after the enacting clause and substituting:

SECTION 1. Chapter 202 of the Private Acts of 1984, as amended by Chapter 211 of the Private Acts of 1992, and all other acts amendatory thereto, is hereby repealed.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Obion County at a meeting held within ninety (90) days of the passage of this act. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Grills moved that **House Bill No. 1569**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Glynn, Grills, Hakeem, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

House Bill No. 1565 -- Smithville - As introduced, subject to local approval, removes prohibition on persons convicted of malfeasance or misfeasance in office, felonies, or crimes involving moral turpitude from being an employee of the city for ten years after the conviction; reduces, from a 2/3 majority to a simple majority, the required vote by the council for approving and removing mayoral appointments; authorizes the city board to appoint and promote city employees. - Amends Chapter 486 of the Private Acts of 1941; as amended and rewritten. by *Hale. (*SB1553 by *Bowling)

Rep. Hale moved that House Bill No. 1565 be passed on third and final consideration.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Kumar

REGULAR CALENDAR, CONTINUED

Rep. Hale moved that **House Bill No. 1565** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 76
Noes..... 12
Present and not voting..... 6

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Garrett, Glynn, Grills, Hakeem, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Mitchell, Moody, Moon, Powers, Raper, Reedy, Richey, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Travis, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--76

Representatives voting no were: Camper, Clemmons, Dixie, Hardaway, Harris, Johnson G, Jones, Love, Miller, Parkinson, Powell, Towns--12

Representatives present and not voting were: Beck, Freeman, Gant, Gillespie, Ragan, Vaughan--6

A motion to reconsider was tabled.

House Bill No. 885 -- TennCare - As introduced, removes a provision requiring the bureau of TennCare to establish a medication therapy management pilot program that terminated in 2020. - Amends TCA Title 53; Title 56 and Title 71. by *Hawk, *Sexton, *White, *Terry, *Moody, *Helton-Haynes, *Ragan. (*SB666 by *Reeves, *McNally)

Rep. Hawk moved that House Bill No. 885 be passed on third and final consideration.

Rep. B. Martin moved adoption of Insurance Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 885 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 56-6-702, is amended by deleting subdivisions (2) and (3) and substituting:

(2) Assure that utilization review agents adhere to reasonable standards for utilization review, including adherence to the Prior Authorization Fairness Act, compiled in chapter 7, part 36 of this title;

(3) Foster greater coordination and cooperation between healthcare providers and utilization review agents, including adherence to the Prior Authorization Fairness Act;

SECTION 2. Tennessee Code Annotated, Section 56-7-132, is amended by adding the following new subsection (f):

(f) Original health insurers and successor health insurers shall comply with the Prior Authorization Fairness Act, compiled in part 36 of this chapter.

SECTION 3. Tennessee Code Annotated, Section 56-7-1013(h), is amended by adding the following new subdivision (6):

(6) The Prior Authorization Fairness Act, compiled in part 36 of this chapter.

SECTION 4. Tennessee Code Annotated, Title 56, Chapter 7, is amended by adding the following as a new part:

56-7-3601. Short title.

This part is known and may be cited as the "Prior Authorization Fairness Act."

56-7-3602. Part definitions.

As used in this part:

(1) "Additional business day" means the first weekday not designated as a state or federal holiday;

(2) "Adverse determination" has the same meaning as defined in § 56-61-102;

(3) "Chronic condition" means a condition that has an expected duration of one (1) year or more and requires ongoing medical attention or limits activities of daily living, or both;

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(4) "Commissioner" has the same meaning as defined in § 56-1-102;

(5) "Emergency healthcare services" means emergency services as defined in § 56-7-2355;

(6) "Enrollee" has the same meaning as defined in § 56-6-703;

(7) "Enrollee benefit plan" means the right to have a payment made by a health carrier for a prescription drug listed on the applicable formulary or healthcare services in accordance with coverage contained within a health benefit plan delivered, issued for delivery, or renewed in this state;

(8) "Facility" means an institution licensed under title 33 or 68;

(9) "Health carrier" has the same meaning as defined in § 56-61-102;

(10) "Healthcare prescriber" means a prescriber as defined in § 53-10-203;

(11) "Healthcare professional" has the same meaning as defined in § 56-61-102;

(12) "Healthcare provider" has the same meaning as defined in § 56-61-102;

(13) "Healthcare service" means a service rendered by a healthcare provider or at a practice that provides testing, monitoring, diagnosis, or treatment of a human disease or condition, or dispenses medical devices, medical appliances, or medical goods for the treatment of a human disease or condition;

(14) "Inpatient service" means care provided in a hospital or other type of inpatient facility where an individual is admitted and spends one (1) or more nights, depending on the individual's medical condition;

(15) "Medically necessary" or "medical necessity" has the same meaning as defined in § 56-61-102;

(16) "Physician" means a medical doctor or osteopathic physician with a valid state medical license issued pursuant to title 63, chapter 6 or 9;

(17) "Practice" means an entity formed with at least one (1) healthcare provider to provide healthcare services;

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(18) "Prescription drug" has the same meaning as defined in § 56-7-3201;

(19) "Prior authorization" means a written or oral determination made by a health carrier or utilization review organization, or an agent of such carrier or organization, that an enrollee's receipt of a healthcare service is a covered benefit under the applicable plan and that a requirement of medical necessity or other requirements imposed by such utilization review organization as prerequisites for payment for such services have been satisfied;

(20) "Urgent care request" has the same meaning as defined in § 56-61-102; and

(21) "Utilization review organization" means:

(A) A health carrier or other entity, including a designee of such carrier or entity, that reviews or issues prior authorizations for a health carrier; and

(B) A health maintenance organization, or another individual or entity that provides, offers to provide, or administers hospital, outpatient, medical, behavioral health, prescription drug, or other health benefits to a person treated by a healthcare provider in this state under a health insurance policy, plan, or contract.

56-7-3603. Requirements for initial adverse determinations.

(a) If a utilization review organization makes an adverse determination for a prior authorization of a healthcare service, then the carrier or organization shall include the following in the notification to the enrollee and the enrollee's healthcare provider requesting the prior authorization on the enrollee's behalf:

(1) The reasons for the adverse determination and, if applicable, related evidence-based criteria, including a description of missing or insufficient documentation or lack of coverage of the enrollee for the healthcare service;

(2) The right to appeal the adverse determination;

(3) Instructions on how to file the appeal; and

(4) Additional documentation necessary to support the appeal.

(b) An adverse determination regarding a request for prior authorization for a healthcare service must be made by a licensed physician or a healthcare professional with the same or a similar specialty as the healthcare professional requesting the prior authorization.

(c) This section does not apply to an initial adverse determination for prescription drugs that are covered under an enrollee's benefit plan.

56-7-3604. Appeals of an electronic and non-electronic initial adverse determination.

(a)

(1) For prior authorization adverse determination appeals submitted electronically, a utilization review organization shall ensure that such appeals are reviewed or made by a licensed physician or healthcare professional with the same or a similar specialty as the healthcare professional who requested the initial prior authorization. The reviewing healthcare professional shall:

(A) Possess a current and valid non-restricted license to practice in this state or another state or territory of the United States;

(B) Be knowledgeable of, and have experience providing, the healthcare services under appeal;

(C) Not have been directly involved in making the adverse determination; and

(D) Consider all known clinical aspects of the healthcare service under review, including, but not limited to, a review of all pertinent medical records provided by the enrollee's healthcare provider, and any medical literature provided.

(2) Utilization review organizations shall perform:

(A) A non-urgent prior authorization review within seven (7) calendar days; and

(B) An urgent care prior authorization review within seventy-two (72) hours, plus, if applicable, one (1) additional business day.

(3) A health carrier or utilization review organization, or a healthcare professional on its behalf, shall not receive compensation as an incentive for issuing an adverse decision.

(b)

(1) Utilization review organizations shall review all prior authorization adverse determination appeals that are not submitted electronically in accordance with standards set by the National Committee on Quality Assurance.

(2) For purposes of this part, prior authorization appeals submitted via facsimile are not submitted electronically.

56-7-3605. Prior authorization submissions.

(a) A prior authorization request under this section that has not been submitted as an urgent care request by the healthcare provider is deemed approved within seven (7) calendar days, or after the date and time of submission if the health carrier or utilization review organization, or its designee:

(1) Fails to approve or deny the request;

(2) Fails to request from the healthcare provider all additional information needed to make a decision; or

(3) Except for a prior authorization for a prescription drug, fails to notify the healthcare provider that prior authorization is being questioned for medical necessity.

(b) The utilization review organization has an additional five (5) calendar days to process the prior authorization once the healthcare provider submits the requested additional information.

(c) Except as provided in subsection (e), the prior authorization request process must not exceed seventeen (17) calendar days. Failure by a healthcare provider to submit the required documentation within seventeen (17) days necessitates the provider requesting a new prior authorization.

(d) If notice is provided pursuant to subdivision (a)(3), then the notice must include the following:

(1) A direct phone number to the utilization review organization;

(2) Hours of business operation of the utilization review organization's physician with decision-making authority to review the prior authorization; and

(3) A statement that there is an opportunity to discuss the medical necessity of the healthcare service directly with the healthcare professional who will be responsible for approving or denying the prior authorization of the healthcare service under review.

(e) If a notice complies with subdivision (d), then the prior authorization request process must not exceed seventeen (17) days. Failure by a healthcare provider to submit the required documentation within seventeen (17) days necessitates the provider requesting a new prior authorization.

(f) A prior authorization request under this section that has been submitted as an urgent care request by the healthcare provider is deemed approved by the

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

utilization review organization if the utilization review organization fails to approve or deny the request, or request all additional information needed to make a decision within seventy-two (72) hours plus, if applicable, one (1) additional business day, after the date and time of submission of the prior authorization request. The healthcare provider shall submit requested additional information within seventy-two (72) hours, plus, if applicable, one (1) additional business day, of receiving a request for additional information. If additional information is requested, then the prior authorization request is deemed approved by the health carrier or utilization review organization if it fails to grant the request, deny the request, or otherwise respond to the request of the healthcare provider within seventy-two (72) hours, plus, if applicable, one (1) additional business day, after the date and time of the submission for all requested additional information. Failure by a provider to submit the required documentation within seventy-two (72) hours, plus, if applicable, one (1) additional business day, necessitates the healthcare provider requesting a new prior authorization.

(g) A health carrier that provides coverage for emergency services in an emergency department of a hospital or freestanding emergency room facility shall comply with § 56-7-2355 and shall not require a prior authorization for such emergency services.

(h) A healthcare professional must submit a request for a prior authorization at least five (5) calendar days prior to the provision of the service or therapy for non-urgent prior authorizations.

(i) This section applies only to electronic submissions, unless the utilization review organization or health carrier does not allow electronic submission of prior authorizations.

(j) For the purposes of this section, health carriers are not required to provide the notice in accordance with § 56-7-3603 in writing.

56-7-3606. Chronic conditions.

(a) If a prior authorization is required for a healthcare service for the treatment of a chronic condition of an enrollee, then the prior authorization remains valid for at least six (6) months, from the date the healthcare professional or provider receives the prior authorization approval, unless the clinical criteria as specified in § 56-7-3607 state otherwise.

(b) If prior authorization is required for a prescription drug for the treatment of a chronic condition of an enrollee, then the prior authorization remains valid for at least six (6) months from the date the healthcare professional or provider receives the prior authorization approval, unless the clinical criteria as specified in § 56-7-3607 state otherwise.

(c) This section does not apply to the requirements of a prior authorization for the prescription of a schedule II, III, IV, or V drug. However, notice must be

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

given to the healthcare provider pursuant to this section if prior authorization is or may be required for a schedule II, III, IV or V drug.

(d) This section does not require a policy of health insurance coverage to cover care, treatment, or services for a health condition that the terms of coverage otherwise completely exclude from the policy's covered benefits without regard for whether the care, treatment, or services are medically necessary.

(e) This section does not apply to inpatient services.

56-7-3607. Clinical criteria.

(a) A health carrier shall maintain a complete list of healthcare services for which a prior authorization is required.

(b) The clinical review criteria for healthcare services or prescription drugs requiring prior authorization must:

(1) Be based on nationally recognized, generally accepted standards for national, clinical criteria, except where state law provides its own standard;

(2) Not be arbitrary and must be cited by the utilization review organization;

(3) Be developed in accordance with the current standards of a national medical accreditation entity;

(4) Ensure quality of care and access to needed healthcare services;

(5) Be evidence-based;

(6) Be sufficiently flexible to allow deviations from norms when justified on a case-by-case basis; and

(7) Be evaluated and updated in accordance with § 56-7-3618.

(c) A claim for failure to obtain prior authorization must not be denied if the prior authorization requirement was not in effect on the date of service on the claim.

56-7-3608. Electronic prior authorization.

(a) A health carrier or utilization review organization shall accept and respond electronically to prior authorization requests from a healthcare provider submitted through a secure electronic transmission as determined by the carrier or organization.

(b) If a prior authorization for a prescription drug is submitted electronically using the National Council for Prescription Drug Programs (NCPDP) SCRIPT Standard for electronic prior authorization (ePA) transactions, then the health carrier or utilization review organization must accept and respond to the prior authorization request using the NCPDP SCRIPT Standard for ePA transactions.

(c) This section does not require a healthcare professional to submit prior authorization requests electronically.

56-7-3609. Expiration date for a prior authorization.

Except as provided in § 56-7-3606, a prior authorization for an enrollee for a healthcare service is valid for at least six (6) months from the date the prior authorization is approved.

56-7-3610. Prior authorization and opioid use disorder.

(a) A utilization review organization and health carrier shall not require prior authorization for prescription drugs labeled by the United States food and drug administration for the treatment of opioid use disorder.

(b) This section does not require a policy to cover any care, treatment, or services for a health condition that the terms of coverage otherwise completely exclude from the policy's covered benefits without regard for whether the care, treatment, or services are medically necessary unless otherwise required by law.

(c) This section does not apply to behavioral health inpatient services.

56-7-3611. Medical necessity.

The medical necessity or appropriateness of emergency healthcare services must comply with the Consolidated Appropriations Act of 2021 (Pub. L. 116-260). Restrictions on coverage of emergency healthcare services provided by nonparticipating providers must not be greater than restrictions that apply when participating providers provide those services.

56-7-3612. Changing prior authorization requirements.

(a) A utilization review organization shall provide notice to healthcare providers in its network of each new prior authorization requirement, or restriction or amendment to an existing prior authorization requirement, at least sixty (60) days prior to the effective date of the change.

(b) A utilization review organization shall provide notice to healthcare providers in its network of each new prior authorization requirement, or restriction or amendment to an existing prior authorization requirement, for a prescription drug at least forty-five (45) days prior to the effective date of the change unless any of the following apply:

(1) The United States food and drug administration has:

(A) Issued a statement that calls into question the clinical safety of the drug;

(B) Required the manufacturers to conduct post-market safety studies and clinical trials after the approval of the drug;

(C) Issued any drug safety-related labeling changes; or

(D) Required the manufacturers to implement special risk management programs;

(2) The drug receives a new approval from the United States food and drug administration and has become available; or

(3) The United States food and drug administration has approved expanded use of the drug.

(c) Notice required by this section must be distributed through:

(1) The utilization review organization's website or the healthcare provider's portal; and

(2) Written communication sent to a dedicated email address and regular mailing address for the healthcare provider or as stipulated in the contract between the healthcare provider and the utilization review organization. The healthcare provider may be required to submit a dedicated email address and regular mailing address to receive the notices required by this subsection (c).

56-7-3613. Payment.

(a) A health carrier or utilization review organization shall pay a healthcare provider at the contracted payment rate for a healthcare service provided by the healthcare provider per an approved prior authorization unless:

(1) The healthcare provider knowingly and materially misrepresented the healthcare service in the prior authorization request with the specific intent to deceive and obtain an unlawful payment from the health carrier;

(2) The healthcare provider was no longer contracted with the patient's health benefit plan on the date the healthcare service was provided;

(3) The healthcare provider failed to meet the timely filing requirements of the health carrier; or

(4) The health carrier does not have liability for a claim.

(b) A health carrier shall pay a healthcare provider for performing a healthcare service if the prior authorization for the service was obtained by another healthcare provider.

(c) The health carrier shall provide reimbursement for healthcare services retroactively deemed medically necessary, regardless of when prior authorization was approved, for a maximum period of eighteen (18) months.

(d) Payment must be guaranteed when a prior authorization submitted under § 56-7-3605 is approved.

(e) This section does not apply to prescription drugs that are covered under an enrollee's benefit plan.

56-7-3614. Prior authorization transfers.

(a) Upon receipt of information documenting a prior authorization from the enrollee or from the enrollee's healthcare provider, a prior authorization granted to an enrollee from a previous utilization review organization or health carrier must be honored for at least the initial ninety (90) days of an enrollee's coverage under a new health benefit plan.

(b) During the time period described under subsection (a), a health carrier or utilization review organization may perform its own review to approve or deny the prior authorization approved by the enrollee's previous health benefit plan effective when the initial ninety-day period expires.

(c) If there is a change in coverage of, or approval criteria for, a previously authorized healthcare service, then the change in coverage or approval criteria must not affect an enrollee who received prior authorization before the effective date of the change for the remainder of the enrollee's health benefit plan year.

(d) A health carrier or utilization review organization shall continue to honor a prior authorization it has granted to an enrollee when the enrollee changes plans carried or administered by the same health carrier.

56-7-3615. Related service.

(a) A utilization review organization shall not deem as incidental or deny claims for supplies or healthcare services that are routinely used as part of a healthcare service when:

(1) A closely related service has received prior authorization; or

(2) Prior authorization for the healthcare service is not required.

(b) As used in this section, "closely related service" means a similar service to the service allowed by prior authorization and required by the standard of care.

56-7-3616. Reviewer criteria.

(a) A health carrier is responsible for monitoring all utilization review activities performed on its behalf and for ensuring that all requirements of this chapter and applicable rules are met.

(b) The health carrier shall ensure that appropriate personnel have operational responsibility for the conduct of the utilization review program.

(c) Whenever a health carrier contracts with a utilization review organization to perform services subject to this part or applicable rules, the commissioner shall hold the health carrier responsible for monitoring the activities of such utilization review organization and for ensuring that the requirements of this part and applicable rules are met.

(d) A utilization review organization shall use clinical criteria as specified in § 56-7-3607(b).

56-7-3617. Statistics.

A health carrier or utilization review organization requiring prior authorization shall make de-identified aggregate statistics available by service code regarding prior authorization approvals and denials on its website in a readily accessible format. The commissioner shall determine the information required in order to comply with this section and in accordance with applicable state and federal privacy laws. Such statistics include, but are not limited to:

(1) The number of initial prior authorization requests that were approved or denied during the previous benefit plan year by the health carrier or utilization review organization;

(2) The number of prior authorization requests that were appealed;

(3) The number of appeals overturned and the number granted;

(4) The time between submission of an initial prior authorization request and response;

(5) The top five (5) reasons for denial;

(6) The average time between submission and response for an initial prior authorization request;

(7) The average time between submission and response for an appeal of a prior authorization denial; and

(8) Any other information that the commissioner determines appropriate.

56-7-3618. Prior authorization requirements.

A health carrier or utilization review organization shall, at least annually, review its prior authorization requirements and consider removal of prior authorization where a prescription or medical service check is customary and properly indicated or is a treatment for the clinical indication as supported by peer-reviewed medical publications.

56-7-3619. Website notice requirements.

(a) A health carrier or utilization review organization shall make all current prior authorization requirements readily accessible on its website to healthcare providers.

(b) The website must indicate each service subject to prior authorization while satisfying the following requirements:

(1) Putting the lettering and notification for each service in bold typeface;

(2) Indicating when prior authorization became required for policies issued or delivered in this state, including the termination date or dates, if applicable;

(3) Identifying the date when the Tennessee-specific requirement was listed on the health carrier's or its contracted review utilization review organization's website;

(4) Providing the date, the prior authorization requirement was removed from the Tennessee-issued policy, if applicable; and

(5) Providing access to a standardized electronic prior authorization request transaction process, if applicable.

56-7-3620. Applicability.

(a) Except as provided in subsection (b), this part applies to all:

(1) Insurers providing a healthcare plan that pays for the provision of healthcare services to covered persons; and

(2) Healthcare plans and state healthcare plans.

(b) This part does not apply to:

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(1) Healthcare plans that are subject to the exclusive jurisdiction of the federal Employee Retirement Income Security Act of 1974 (29 U.S.C. § 1001 et seq.);

(2) A policy of insurance issued pursuant to a contract with the bureau of TennCare;

(3) TennCare or a successor program provided for in title 71, chapter 5; or

(4) CoverKids or a successor program provided for in the CoverKids Act of 2006, compiled in title 71, chapter 3, part 11.

56-7-3621. Provider notification to health carrier.

If a health carrier requires a healthcare provider to notify the health carrier that an enrollee has received a healthcare service or has been admitted to a facility, such notification requirement includes, if applicable, one (1) additional business day if the notification deadline falls on a weekend or state or federal holiday.

56-7-3622. Rules.

The commissioner may promulgate rules to carry out this part in accordance with the Uniform Administrative Procedures Act, codified in title 4, chapter 5.

SECTION 5. If a provision of this act, or its application to a person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 6. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 7. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2025, unless otherwise specified in this act, the public welfare requiring it.

On motion, Insurance Committee Amendment No. 1 was adopted.

Rep. Hawk moved that **House Bill No. 885**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0
Present and not voting.....	1

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--94

Representatives present and not voting were: Jones--1

A motion to reconsider was tabled.

***House Bill No. 798** -- Utilities, Utility Districts - As introduced, increases, from two to three, the minimum number of times the underground utility damage enforcement board is required to meet in a calendar year. - Amends TCA Title 4, Chapter 5 and Title 65, Chapter 31. by *Johnson, C. *Ragan. (SB782 by *Walley)

On motion, House Bill No. 798 was made to conform with **Senate Bill No. 782**; the Senate Bill was substituted for the House Bill.

Rep. C. Johnson moved that Senate Bill No. 782 be passed on third and final consideration.

Rep. Vaughan moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. C. Johnson moved that **Senate Bill No. 782** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--95

A motion to reconsider was tabled.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***House Bill No. 369** -- Education, Higher - As introduced, prohibits a public institution of higher education that accepts applications for admission from inquiring about an applicant's criminal history on the application. - Amends TCA Title 49, Chapter 7. by *Love, *White, *Hardaway. (SB323 by *Akbari)

Rep. Love moved that House Bill No. 369 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 369 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

A public institution of higher education that inquires about an applicant's criminal history for purposes of undergraduate admission shall develop and implement an additional review process for applicants with a criminal history.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Love moved that **House Bill No. 369** be reset for the Regular Calendar on April 24, 2023, which motion prevailed.

***House Bill No. 555** -- Victims' Rights - As introduced, removes, for victims of human trafficking offenses, the requirement that the claimant prove that the victim or a member of the victim's family reported the offense to the proper law enforcement authorities within a certain period of time in order to be entitled to compensation from the criminal injuries compensation fund; adds victims of human trafficking offenses to those victims allowed to receive compensation from the criminal injuries compensation fund for personal injury or loss incurred as a result of pain and suffering. - Amends TCA Title 9, Chapter 8 and Title 29, Chapter 13. by *Littleton, *Hardaway, *Russell, *Moody, *Helton-Haynes, *Powers, *Alexander, *Williams, *Howell, *Thompson, *Haston. (SB1211 by *White)

Rep. Littleton moved that House Bill No. 555 be passed on third and final consideration.

Rep. Hulsey moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

AMEND House Bill No. 555 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 29-13-103, is amended by deleting subdivision (a)(4) and substituting:

(4) The claimant has fully cooperated with the police and the district attorney general in the investigation and prosecution of the offender, except in cases involving a victim of human trafficking where it is determined that the victim's cooperation may be impacted due to the victim's age, physical condition, psychological state, cultural or linguistic barriers, or any other health or safety concern that jeopardizes the victim's well-being;

SECTION 2. Tennessee Code Annotated, Section 29-13-106, is amended by deleting subsection (c) and substituting:

(c) Compensation must not be awarded for any personal injury or loss alleged to have been incurred as a result of pain and suffering, except for victims of the crime of rape, victims of a human trafficking offense, and victims of a crime involving sexual deviancy, including minors who are victims of the crimes contained in § 39-13-314, § 39-13-316, §§ 39-13-502 – 39-13-505, § 39-13-522, § 39-15-302, § 39-17-902, and §§ 39-17-1003 – 39-17-1005, or any attempt, conspiracy, or solicitation to commit such offenses.

SECTION 3. Tennessee Code Annotated, Section 29-13-108, is amended by deleting subsection (a) and substituting:

(a) A claim for compensation must be filed not later than two (2) years after the occurrence of the crime upon which the claim is based, two (2) years after the death of the victim, or two (2) years after any mental or physical manifestation or injury is diagnosed as a result of an act committed against a minor that would constitute a criminal offense under §§ 39-13-502 – 39-13-505, § 39-13-522, § 39-15-302, § 39-17-902, or §§ 39-17-1003 – 39-17-1005, or an attempt, conspiracy, or solicitation to commit such offenses; provided, that upon good cause shown, the time period for filing such claim may be extended either before or after the expiration of the filing period. A claim cannot be filed until the crime upon which the claim is based has been reported by the victim, or a member of the victim's family, to the proper authorities, and in no case may an award be made where the law enforcement records show that such report was made more than forty-eight (48) hours after the occurrence of such crime unless, for good cause shown, it is found that the delay was justified. Good cause for the failure of a victim or a member of the victim's family to report a crime may be found if the victim is:

- (1) Physically unable;
- (2) A victim of sexual assault;
- (3) A victim of domestic abuse; or

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

(4) A victim of human trafficking.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Littleton moved that **House Bill No. 555**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

House Bill No. 23 -- Open Meetings - As introduced, requires governing bodies to make agendas of meetings and supplemental meeting documents available to the public at least 48 hours prior to the meeting. - Amends TCA Title 8, Chapter 44. by *Moon, *Todd, *Helton-Haynes, *Jernigan, *Rudder, *Farmer, *Faison, *Martin G, *Lamberth, *Grills, *Bricken, *Vital, *Eldridge, *Wright, *Clemmons, *Howell, *Ragan. (*SB27 by *Gardenhire, *Haile, *Yager)

On motion, House Bill No. 23 was made to conform with **Senate Bill No. 27**; the Senate Bill was substituted for the House Bill.

Rep. Moon moved that Senate Bill No. 27 be passed on third and final consideration.

Rep. Keisling moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Moon moved that **Senate Bill No. 27** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carringer, Cepicky, Chism, Clemmons, Cochran,

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--92

A motion to reconsider was tabled.

***House Bill No. 772** -- Election Laws - As introduced, requires election officials to inspect filings for sufficiency and timeliness; establishes conclusive presumption that accepted filings are sufficient and timely filed. - Amends TCA Title 2. by *Rudd, *Moody, *Howell. (SB1182 by *Swann)

Rep. Rudd moved that House Bill No. 772 be passed on third and final consideration.

Rep. Crawford moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 772 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-5-205(a)(1), is amended by deleting the subdivision in its entirety and substituting instead the following language:

(1) The names of persons for whom the chair of a statewide political party has certified to be placed on the ballot for the office of president of the United States to the secretary of state. The secretary of state shall submit the names to the state election commission no later than the first Tuesday in December immediately preceding the year in which the election will be held. If a candidate who has been certified by the secretary of state wishes to be a candidate in the presidential primary of a party other than that for which the chair of the statewide political party certified the candidate, then the candidate shall signify the candidate's political party preference to the state election commission no later than twelve o'clock (12:00) noon, prevailing time, on the date established in subsection (b), and the candidate's name must be certified only for the ballot of the candidate's chosen party, as the case may be.

SECTION 2. Tennessee Code Annotated, Section 2-5-205(c), is amended by deleting the subsection in its entirety and substituting instead the following language:

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(c) The coordinator of elections shall certify to the county election commissions on the third Thursday in December the names that this section requires to be on the ballot for each political party.

SECTION 3. Tennessee Code Annotated, Title 2, Chapter 11, Part 1, is amended by adding the following as a new section:

(a) Members of the state election commission shall disclose any employment or the receipt of a fee, commission, or another form of compensation, including in-kind contributions, received for services related to elections.

(b) Such disclosure must include:

(1) The name and address of the person or entity for whom the commissioner is employed or providing services;

(2) The amount of the compensation;

(3) The dates the services were rendered; and

(4) A general description of the services rendered.

(c) The commissioners shall make the disclosures required by subsection (a) on a form adopted by the state election commission.

(d) A commissioner shall file the disclosures for employment that began, or an agreement to provide services entered into, before the commissioner was appointed within thirty (30) days of the beginning of the commissioner's term. A commissioner shall file all other disclosures within thirty (30) days of becoming employed or entering into an agreement to provide services. The disclosures must be recorded in the minutes of the state election commission.

(e) Failure to timely file disclosures constitutes cause for removal under § 2-11-113.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Rudd moved that **House Bill No. 772**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 73
Noes..... 22
Present and not voting..... 1

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Cochran, Crawford, Darby, Davis,

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Beck, Camper, Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, Love, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Thompson--22

Representatives present and not voting were: Gillespie--1

A motion to reconsider was tabled.

***House Bill No. 919** -- Utilities, Utility Districts - As introduced, clarifies that commissioners for utility districts created pursuant to the Utility District Law of 1937 are not prohibited from serving more than two consecutive terms. - Amends TCA Title 7, Chapter 82, Part 3. by *Rudder. (SB1102 by *Bowling)

On motion, House Bill No. 919 was made to conform with **Senate Bill No. 1102**; the Senate Bill was substituted for the House Bill.

Rep. Rudder moved that Senate Bill No. 1102 be passed on third and final consideration.

Rep. Vaughan moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Rudder moved that **Senate Bill No. 1102** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--95

A motion to reconsider was tabled.

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 1560** -- Blount County - Subject to local approval, alters the conditions under which the county is authorized to own and operate a nonprofit hospital. - Amends Chapter 187 of the Private Acts of 1945. by *Wright. (SB1548 by *Swann)

Rep. Wright moved that **House Bill No. 1560** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 74
Noes..... 13
Present and not voting..... 6

Representatives voting aye were: Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Camper, Capley, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Darby, Davis, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hardaway, Haston, Hawk, Hemmer, Hicks G, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Mr. Speaker Sexton--74

Representatives voting no were: Alexander, Clemmons, Dixie, Harris, Hicks T, Johnson G, Jones, Love, McKenzie, Miller, Parkinson, Shaw, Towns--13

Representatives present and not voting were: Campbell S, Doggett, Hale, Hazlewood, Helton-Haynes, Moon--6

A motion to reconsider was tabled.

House Bill No. 1295 -- Education - As introduced, requires the commissioner of education to report on the academic performance of historically underserved student groups to the education committee of the senate and the education administration and education instruction committees of the house of representatives by January 31 of each year. - Amends TCA Title 49. by *Camper, *Dixie, *Hardaway, *Love, *Harris, *Thompson, *Clemmons. (*SB884 by *Akbari)

Rep. Camper moved that House Bill No. 1295 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1295 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 2, is amended by adding the following as a new section:

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

(a) The department of education shall conduct a study of best practices in other states for the use of ninth grade "on-track" indicators in state accountability systems to prevent students from dropping out of high school.

(b) The study must include, but is not limited to, research into how states:

(1) Define "on-track" high school success;

(2) Develop specific indicators to identify students who are at risk of dropping out of high school, including, but not limited to:

(A) Credit accumulation and course completion in the ninth grade;

(B) Attendance patterns;

(C) Failure of English language arts or mathematics courses;

(D) Scoring below proficient on statewide assessments administered in English language arts or mathematics; and

(E) Student suspensions and expulsions;

(3) Develop and use statewide dropout early warning systems in the middle school and high school grades;

(4) Utilize methods to publicly report relevant data regarding "on-track" high school success indicators and outcomes, including, but not limited to:

(A) State report card systems;

(B) Published reports; and

(C) Disaggregation by student subgroups, such as economically disadvantaged students, rural students, racial and ethnic groups, students with disabilities, and English learners;

(5) Set goals and monitor how many students remain "on track" in ninth grade in alignment with statewide graduation goals; and

(6) Provide supports and guidance to schools and districts to improve and increase the number of ninth grade students who are "on track."

(c) The department shall conduct the study required in this section within the existing resources of the department.

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

(d) The department shall, no later than January 31, 2024, submit a report of the outcomes of the study required in this section to the education committee of the senate and the education administration committee of the house of representatives, and shall publish the report on the department's website.

SECTION 2. This act takes effect upon becoming law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Camper moved that **House Bill No. 1295**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	81
Noes.....	0
Present and not voting.....	11

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Burkhart, Campbell S, Camper, Carr, Carringer, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lamberth, Leatherwood, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Raper, Reedy, Richey, Russell, Shaw, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--81

Representatives present and not voting were: Bulso, Butler, Capley, Cepicky, Doggett, Fritts, Lafferty, Ragan, Rudd, Rudder, Sherrell--11

A motion to reconsider was tabled.

***House Bill No. 864** -- County Government - As introduced, deletes reference to the director and secretary of the state planning office, which was abolished in 1995, as a member of the state consolidation committee for the consolidation of counties. - Amends TCA Title 2; Title 5; Title 6 and Title 7. by *Crawford, *Freeman, *Williams, *Moody. (SB832 by *Lundberg)

Rep. Crawford moved that House Bill No. 864 be passed on third and final consideration.

Rep. Wright moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 864 by deleting all language after the enacting clause and substituting:

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 2, is amended by adding the following as a new section:

7-2-109. Required votes for improvements to public facilities.

The general assembly encourages the improvement of public property and facilities, which can include the use of public-private partnerships. Therefore, notwithstanding the provisions of another law to the contrary, a metropolitan government ordinance, resolution, or charter provision that requires a supermajority vote of the local legislative body in order to make improvements to, renovations to, or the demolition and replacement of existing facilities owned by the metropolitan government when such facilities are to be used for substantially the same use and purpose as the use prior to improvement, renovation, or demolition and replacement is declared to be contrary to public policy and is void. Rather, the voting requirement for improvements, renovations, or the demolition and replacement of existing facilities owned by the metropolitan government that are to be used for substantially the same use as the use prior to improvement, renovation, or demolition and replacement, including the lease of the property to a private entity for the purpose of making the improvement, renovation, or demolition and replacement, or operation of the facility, must be the same voting requirement applicable to ordinances of the legislative body in general.

SECTION 2. The heading in this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Crawford moved that **House Bill No. 864**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	82
Noes.....	10
Present and not voting.....	2

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carr, Carringer, Cepicky, Chism, Cochran, Crawford, Darby, Davis, Doggett, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Mitchell, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks,

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--82

Representatives voting no were: Camper, Clemmons, Dixie, Harris, Johnson G, Jones, Miller, Parkinson, Powell, Shaw--10

Representatives present and not voting were: Beck, Hemmer--2

A motion to reconsider was tabled.

House Bill No. 632 -- Election Laws - As introduced, authorizes Henry County to establish a convenient voting center pilot program. - Amends TCA Title 2, Chapter 3, Part 3. by *Darby, *Reedy, *Lynn. (*SB477 by *Stevens)

On motion, House Bill No. 632 was made to conform with **Senate Bill No. 477**; the Senate Bill was substituted for the House Bill.

Rep. Darby moved that Senate Bill No. 477 be passed on third and final consideration.

Rep. Crawford moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 477 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 2-3-308(a), is amended by deleting the language ", during or prior to 2020,".

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Hazlewood moved adoption of Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 477 by adding the following section immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 2-3-302(a), is amended by deleting the language "held in 2022".

On motion, Finance, Ways, and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Darby moved that **Senate Bill No. 477**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 86
Noes..... 6
Present and not voting..... 2

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bulso, Burkhart, Campbell S, Camper, Carr, Carringer, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Eldridge, Faison, Farmer, Freeman, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--86

Representatives voting no were: Barrett, Butler, Cepicky, Doggett, Fritts, Richey--6

Representatives present and not voting were: Capley, Gant--2

A motion to reconsider was tabled.

House Bill No. 415 -- Sexual Offenses - As introduced, requires each local law enforcement agency to assemble, by January 1, 2024, an adult sexual assault response team to assist in responding to incidents of sexual assault with adult victims that occur within the agency's jurisdiction; requires each team to include members with expertise in a variety of disciplines relevant to sexual assault response. - Amends TCA Title 38. by *Davis, *Hardaway, *Freeman, *Towns, *Clemmons, *Helton-Haynes, *Powell. (*SB22 by *Massey, *Campbell, *Akbari, *Lamar, *Lowe)

On motion, House Bill No. 415 was made to conform with **Senate Bill No. 22**; the Senate Bill was substituted for the House Bill.

Rep. Davis moved that Senate Bill No. 22 be passed on third and final consideration.

Rep. Hulsey moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Davis moved that **Senate Bill No. 22** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts,

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--94

A motion to reconsider was tabled.

House Bill No. 315 -- Hospitals and Health Care Facilities - As introduced, increases the allowable number of beds in private for-profit and private not-for-profit intermediate care facilities for individuals with intellectual disabilities from 668 to 804 upon the voluntary surrender of the certificate of need for such additional beds by the transferring owner. - Amends TCA Title 71, Chapter 5, Part 1. by *Lamberth, *Cochran, *Hazlewood, *Jernigan, *Shaw, *Bricken, *Helton-Haynes, *Eldridge, *Camper, *Moody, *Powers. (*SB267 by *Johnson, *Reeves, *Lowe)

On motion, House Bill No. 315 was made to conform with **Senate Bill No. 267**; the Senate Bill was substituted for the House Bill.

Rep. Hazlewood moved that Senate Bill No. 267 be passed on third and final consideration.

Rep. Leatherwood moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 267 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 71-5-105(b), is amended by deleting the subsection and substituting:

(b)

(1) Subject to subdivision (b)(3), the total number of beds in private for-profit and private not-for-profit intermediate care facilities for individuals with intellectual disabilities (ICF/IID) must not be less than six hundred ninety-six (696) absent a reduction in the occupancy rate to eighty percent (80%) or less of the statewide available occupancy as determined annually and must not exceed a total maximum number of eight hundred four (804) upon the voluntary surrender by the certificate of need providers. To determine the statewide available occupancy, the department of intellectual and developmental disabilities shall use the data from cost reports submitted by providers to the comptroller of the treasury. The department shall demonstrate a commitment to assisting providers who chose to transition a current site from ICF/IID services to home and community-based services (HCBS) in achieving compliance with the HCBS

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

settings rules. In compliance with the certificate of need process, private for-profit and private not-for-profit ICF/IID beds may be transferred from one (1) location or one (1) provider to another, but the total number of such beds must not exceed eight hundred four (804).

(2) An available private ICF/IID bed may be filled only upon completion of a community-informed choice process established and administered by the department of intellectual and developmental disabilities that fairly and completely represents available options in order to ensure that the placement is the most integrated and cost-effective setting and subject to the individual's freedom of choice. Providers may refuse persons based on needs compatibility considering the total mix of persons in the facility. The department of intellectual and developmental disabilities shall demonstrate a commitment to ensuring the individual's freedom of choice and ensure that each eligible service recipient is fully informed of all services available to the recipient, including community ICF/IID facilities and the specialized services the facilities provide.

(3) The total number of private for-profit and not-for-profit ICF/IID beds authorized in subdivision (b)(1) is permanently reduced upon voluntary surrender of a certificate of need for the specified number of ICF/IID beds by the owner. A surrendered bed must not be reestablished by the same or another owner.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Hazlewood moved that **Senate Bill No. 267**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 1194 -- Senior Citizens - As introduced, changes from January 15 to February 15, the date by which each area agency on aging must submit a report to the general assembly regarding the status of the Alzheimer’s and dementia respite care pilot program in each year of the pilot program; adds the legislative librarian to the list of persons at the general assembly who must receive a copy of the report. - Amends TCA Title 4 and Title 71. by *Williams, *McCalmon, *Moon, *Burkhart, *Crawford, *Hardaway, *Shaw, *Littleton, *Vital, *Alexander, *Rudder, *Carringer, *Haston, *Hicks T, *Moody, *Ragan, *Clemmons, *Eldridge, *Powers, *Camper, *Helton-Haynes, *Hawk, *Marsh, *Beck, *Cepicky, *Miller, *Davis. (*SB678 by *Reeves, *Crowe)

On motion, House Bill No. 1194 was made to conform with **Senate Bill No. 678**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that Senate Bill No. 678 be passed on third and final consideration.

Rep. Leatherwood moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Williams moved that **Senate Bill No. 678** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

***House Bill No. 644** -- Education - As introduced, replaces Financial Literacy Week, the first full week of April, with Financial Literacy Month, the entire month of April; requires the financial literacy commission to study financial literacy education efforts and report to the general assembly by December 31, 2023. - Amends TCA Title 15, Chapter 2 and Title 49. by *Baum. (SB668 by *Reeves)

Senate Amendment No. 1

AMEND House Bill No. 644 by deleting all language after the caption and substituting instead the following:

WHEREAS, a household survey conducted by the Federal Deposit Insurance Corporation (FDIC) found that the percentage of individuals who do not use traditional banking services in Tennessee is five percent, which is ten percent higher than the national average; and

WHEREAS, one in eight Tennesseans have student loan debt, averaging \$36,000 per student, making Tennessee the eighteenth highest state in the nation as it relates to student loan debt, where more than half of the debtors are under the age of thirty-five; and

WHEREAS, the average Tennessee consumer holds more than \$83,000 in debt, not including mortgage debt; and

WHEREAS, Tennessee ranks fifth in the nation in personal bankruptcies, which is double the national average; and

WHEREAS, based on this statistical information, further study is encouraged relative to financial literacy educational programs and financial literacy awareness campaigns for Tennesseans; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-1708, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) The commission shall study financial literacy in this state. The commission shall determine the scope of the study and shall submit a report of the findings of the study and the commission's recommendations to the general assembly. The report may be completed by a contractor employed by the commission. The contractor may be paid for the contractor's services with funds raised by the commission.

SECTION 2. Tennessee Code Annotated, Section 15-2-131, is amended by deleting the section and substituting the following:

The month of April is observed as "Financial Literacy Month" in Tennessee, to promote financial literacy and the need to educate Tennesseans about the importance of personal financial health to Tennessee's future prosperity.

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Rep. Baum moved that the House concur in Senate Amendment No. 1 to **House Bill No. 644**, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 988 -- Landlord and Tenant - As introduced, requires a landlord to provide a tenant with 90 days' notice of termination of tenancy for the purpose of eviction of a residential tenant if the tenant is 62 years of age or older, has paid the tenant's due rent and is not in arrears, and the termination and eviction are to allow for new property development. - Amends TCA Title 29 and Title 66. by *Beck, *Hardaway, *Camper, *Clemmons, *Jernigan, *Alexander. (*SB717 by *Oliver, *Campbell, *Kyle, *Lamar, *Yarbro)

Rep. Beck moved that the House non-concur in Senate Amendment No. 1 to **House Bill No. 988**, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 1306 -- Consumer Protection - As introduced, requires an entity that requires on-site payment for services and only accepts payment by quick response code or a credit or debit card machine to accept payment by cash, by check, or through a system that allows the consumer to provide the consumer's credit or debit card information over the phone, or allow the consumer to leave the property without payment at the time, if the quick response code or credit or debit card machine fails to operate correctly to process the payment transaction. - Amends TCA Title 39; Title 47 and Title 48. by *Kumar, *Faison, *Lamberth, *Thompson, *Miller, *Helton-Haynes, *Hale, *Hurt, *Crawford, *White, *Martin G, *Todd, *Capley, *Butler, *Littleton, *Alexander. (*SB661 by *Niceley, *Bowling)

Senate Amendment No. 1

AMEND House Bill No. 1306 by deleting subsection (d) in SECTION 1 and substituting:

(d) For a parking lot that is temporarily or continuously unattended, the entity shall provide notice of the alternative forms of payment accepted on a prominent sign located on the entity's property where payment is taken.

Rep. Kumar moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1306**, which motion prevailed by the following vote:

Ayes 93
Noes..... 2

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton--93

Representatives voting no were: Dixie, Freeman--2

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1342 -- Economic and Community Development - As introduced, in order to be designated as a "broadband ready community" by the department of economic and community development, requires a political subdivision to adopt an ordinance or policy for reviewing applications and issuing permits related to projects relative to broadband services that includes a provision that all applications related to a project will be reviewed and either approved or denied within 20 business days, instead of 30 business days, after the application is submitted. - Amends TCA Title 4 and Title 50. by *Sexton, *Vital, *Vaughan, *Alexander, *Hardaway, *Zachary, *Russell, *Gant, *Ragan, *Moody, *Helton-Haynes, *Littleton, *Hicks T, *Williams, *Martin B, *Grills, *Garrett, *Powers, *Cepicky, *Howell, *Todd. (*SB650 by *Johnson, *Jackson, *Stevens, *Rose, *White)

Rep. Vaughan moved that the House non-concur in Senate Amendments Nos. 1 and 2 to **House Bill No. 1342**, which motion prevailed.

UNFINISHED BUSINESS

SPONSOR ADDED

Rep. Lamberth moved that Rep. Camper be listed as First prime sponsor on **House Bills Nos. 302, 303, 304, 305, 747, 748, 1234, 1235, 1236, 1237, 1238, 1239, 1474, 1255, 1293, 1339, 1472, 1473, 1510** and **House Joint Resolutions Nos. 50** and **493**, which motion prevailed.

RULES SUSPENDED

Rep. Haston moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 585 out of order, which motion prevailed.

***Senate Joint Resolution No. 585** -- Memorials, Recognition - Wayne Jerrolds. by *Walley. (*Haston)

On motion of Rep. Haston, the resolution was concurred in.

A motion to reconsider was tabled.

APPOINTMENT

The Speaker appointed Rep. G. Johnson to the Education Instruction Committee, Insurance Committee and Criminal Justice Committee.

SPONSORS ADDED

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 343 Rep. Lamberth as prime sponsor.

House Bill No. 345 Reps. Freeman and Powers as prime sponsors.

House Bill No. 369 Reps. Hardaway and Thompson as prime sponsors.

House Bill No. 403 Rep. McCalmon as prime sponsor.

House Bill No. 1188 Rep. Carr as prime sponsor.

House Bill No. 1578 Rep. Love as First prime sponsor.

SPONSORS WITHDRAWN

On Motion, Rep. Hawk withdrew as sponsor of **House Bill No. 749**.

**MESSAGE FROM THE SENATE
April 10, 2023**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 470, 471, 472, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485 and 486; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 10, 2023**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 5, 164, 187, 252, 337, 552, 548 and 774; substituted for Senate Bills on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
April 10, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 29, 91, 338, 340, 448, 452, 883, 903 and 1039; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 10, 2023**

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 125, 217, 236, 350, 358, 421, 451, 464, 560, 610, 721, 791, 854, 980, 1034, 1347 and 1434; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
April 10, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 5, 164, 187, 252, 337, 548, 552 and 774; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
April 10, 2023**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 23, 58, 291, 425, 426, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445 and 446; with his approval.

ERIN MERRICK, Chief Counsel to the Governor

**ENGROSSED BILLS
April 10, 2023**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 537;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 10, 2023**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 148, 270, 277, 331, 439, 656, 672, 675, 799, 863, 1247 and 1451; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
April 10, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 470, 471, 472, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485 and 486; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**MONDAY, APRIL 10, 2023 – TWENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

**SIGNED
April 10, 2023**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 470, 471, 472, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485 and 486.

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Williams, Wright, Zachary, Mr. Speaker Sexton -- 95

RECESS

On motion of Rep. Cochran, the House stood in recess until 9:00 a.m., Thursday, April 13, 2023.